

  
CLERK OF THE COURT

Electronically Filed  
Aug 16 2016 02:34 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

**NOAS**  
RADFORD J. SMITH, CHARTERED  
RADFORD J. SMITH, ESQ.  
Nevada Bar No. 002791  
GARIMA VARSHNEY, ESQ.  
Nevada Bar No. 011878  
2470 St. Rose Parkway, Suite 206  
Henderson, Nevada 89074  
Telephone: 702-990-6448  
Facsimile: 702-990-6456  
rsmith@radfordsmith.com  
*Attorneys for Defendant*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

SEAN ABID,

Plaintiff,

vs.

LYUDMYLA ABID,

Defendant.

CASE NO.: D-10-424830-Z

DEPT NO.: B

**FAMILY DIVISION**

**NOTICE OF APPEAL**

NOTICE is hereby given that Defendant, LYUDMYLA ABID, hereby appeals to the Supreme Court of the State of Nevada for District Court Notice of Entry of Order re: The Court's Minute Order of July 14, 2016 entered on July 29, 2016,

...

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...

1 a copy of which is attached as **Exhibit "A"** hereto.

2 Dated this <sup>th</sup> 8 day of August, 2016.

3 RADFORD J. SMITH, CHARTERED

4  
5   
RADFORD J. SMITH, ESQ.

6 Nevada Bar No. 002791

7 GARIMA VARSHNEY, ESQ.

8 Nevada Bar No. 011878


9 2470 St. Rose Parkway, Suite 206

10 Henderson, Nevada 89074

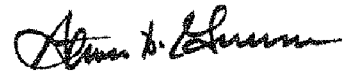
11 *Attorney for Defendant*

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I served the foregoing document described as "NOTICE OF APPEAL" on this 8 day of August, 2016, to all interested parties by way of the Eighth Judicial District Court's electronic filing system.

  
An employee of Radford J. Smith, Chartered

# **EXHIBIT “A”**



CLERK OF THE COURT

1 **NEOJ**  
2 **BLACK & LOBELLO**  
3 John D. Jones  
4 Nevada State Bar No. 6699  
5 10777 West Twain Avenue, Suite 300  
6 Las Vegas, Nevada 89135  
7 702-869-8801  
8 Fax: 702-869-2669  
9 Email: [jjones@blacklobello.law](mailto:jjones@blacklobello.law)  
10 Attorneys for Plaintiff,  
11 SEAN R. ABID

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

10 SEAN R. ABID,  
11  
12 Plaintiff,

CASE NO.: D424830  
DEPT. NO.: B

12 vs.

13 LYUDMYLA A. ABID  
14  
15 Defendant.

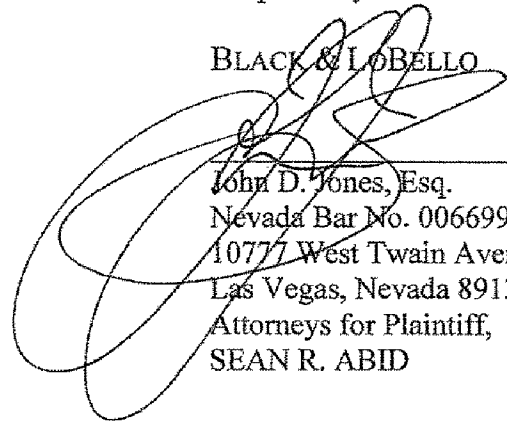
**NOTICE OF ENTRY OF ORDER RE: THE COURT'S MINUTE ORDER  
OF JULY 14, 2016**

18 PLEASE TAKE NOTICE that an Order re: The Court's Minute Order of July 14, 2016  
19 was entered in the above entitled matter on the 27<sup>th</sup> day of July, 2016, a copy of which is  
20 attached hereto.

21 DATED this 29 day of July, 2016.

22 Respectfully submitted:

23 **BLACK & LOBELLO**

24  
25   
26 John D. Jones, Esq.  
27 Nevada Bar No. 006699  
28 10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
Attorneys for Plaintiff,  
SEAN R. ABID

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

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Lyudmyla Abid  
2167 Montana Pine Drive  
Henderson, NV 89052  
*Defendant in Proper Person*

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2569

  
CLERK OF THE COURT

1 **ORDR**  
2 **BLACK & LOBELLO**  
3 John D. Jones, Esq.  
4 Nevada State Bar No. 6699  
5 10777 West Twain Avenue, Suite 300  
6 Las Vegas, Nevada 89135  
7 Telephone No.: 702-869-8801  
8 Facsimile No.: 702-869-2669  
9 Email Address: [jjones@blacklobello.law](mailto:jjones@blacklobello.law)  
10 Attorneys for Plaintiff,  
11 SEAN R. ABID

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

12 SEAN R. ABID,

13 Plaintiff,

14 vs.

15 LYUDMYLA A. ABID

16 Defendant.

CASE NO.: D424830

DEPT. NO.: N

**ORDER RE: THE COURT'S MINUTE ORDER OF JULY 14, 2016**

17 The Court, having reviewed Plaintiff's Motion to Reapportion Dr. Holland's Fees and  
18 Defendant's Opposition, the Court has issued the following Order:

19 THE COURT FINDS AND ORDERS that NRCP 1 and EDCR 1.10 state that the  
20 procedure in district courts shall be administered to secure efficient, speedy, and inexpensive  
21 determinations in every action. Dad's Motion to Reapportion Dr. Holland's fees is GRANTED.  
22 The Court previously indicated that the parties could request reapportionment of Dr. Holland's  
23 fees, if one party overwhelmingly prevailed at the Evidentiary Hearing.

24 THE COURT FURTHER FINDS AND ORDERS Mom's Countermotion for Stay is  
25 DENIED. Nevada Rule of Appellate Procedure 8 governs stays pending appeal and requires,  
26 generally, a stay be first sought in the District Court. Stays in civil cases involving child custody  
27 are governed by NRAP 8 (d):  
28

**RECEIVED**

**JUL 26 2016**

**DEPT. B**

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

☐ Disposed After Trial Start  
☐ Trial Disposition:  
☐ Judgment Reached by Trial  
☐ Other  
☐ Dismissed - Want of Prosecution  
☐ Involuntary (Statutory) Dismissal  
☐ Default Judgment  
☐ Transferred  
☐ Withheld Judicial Conf/ing  
☐ By ADR  
☐ Spelled/Withdrawn  
☐ Withheld Judicial Conf/ing  
☐ With Judicial Conf/ing

1 In deciding whether to issue a stay in matters involving child custody, the  
2 Supreme Court or Court of Appeals will consider the following factors: (1)  
3 whether the child(ren) will suffer hardship or harm if the stay is either granted or  
4 denied; (2) whether the nonmoving party will suffer hardship or harm if the stay is  
5 granted; (3) whether movant is likely to prevail on the merits in the appeal; and  
6 (4) whether a determination of other existing equitable considerations, if any, is  
7 warranted.

8 Here, the child would suffer hardship and/or harm if the stay is granted. As the Court previously  
9 found, Mom's behavior is detrimental to the minor child. Further, Dad's relationship with the  
10 minor child would suffer harm, if the stay is granted. Mom is unlikely to prevail on the merits of  
11 this appeal, as discussed below. This custody order has been in place for months, yet another  
12 change in custody is not equitable.

13 THE COURT FURTHER FINDS AND ORDERS that the trial court has wide discretion  
14 concerning matters of child custody. A reviewing court will not disturb the trial court's finding  
15 absent a clear abuse of discretion. See *Sims v. Sims*, 109 Nev. 1146 (1993). Mom does not allege  
16 the District Court applied the wrong law or standard. Instead, Mom argues that the trial court  
17 allowed an expert witness to review evidence that the court ultimately found inadmissible. The  
18 expert's testimony was not based solely upon this evidence. The expert's testimony was based  
19 upon many other things, including interviews with the child. Mom's Counter-motion for Stay,  
20 Sanctions and Attorney's Fees is DENIED.

21 The Court reminds the parties that there is no Order preventing both parents from  
22 attending medical and dental appointments for the minor child. The Court encourages the parties  
23 to co-parent regarding the child's medical and dental needs. There is no Order from this Court  
24 that would prevent a third party designee from picking up and/or dropping off the minor child.

25 IT IS HEREBY ORDERED that Plaintiff, Sean Abid, is hereby awarded \$4,347.25 for  
26 the costs he paid to Dr. Holland.

27 This amount is reduced to judgment in favor of Plaintiff and against Defendant,  
28 Lyudmyla Abid, and collectible by any legal means.

///

///



BLACK & LOBELLO  
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Counsel for Plaintiff SHALL prepare the Order.

Notice of this minute order was provided to the Parties via telephone.

IT IS SO ORDERED this 27<sup>th</sup> day of July, 2016.

  
DISTRICT COURT JUDGE

Respectfully submitted by:

BLACK & LOBELLO

  
JOHN D. JONES, ESQ.

Nevada Bar No. 6699

10777 West Twain Ave., Suite 300

Las Vegas, NV 89135

702-869-8801

Attorney for Plaintiff,

SEAN R. ABID

  
CLERK OF THE COURT

ASTA  
RADFORD J. SMITH, CHARTERED  
RADFORD J. SMITH, ESQ.  
Nevada Bar No. 002791  
GARIMA VARSHNEY, ESQ.  
Nevada Bar No. 011878  
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Telephone: 702-990-6448  
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rsmith@radfordsmith.com  
*Attorneys for Defendant*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SEAN ABID,

Plaintiff,

vs.

LYUDMYLA ABID,

Defendant.

CASE NO.: D-10-424830-Z

DEPT NO.: B

**FAMILY DIVISION**

**CASE APPEAL STATEMENT**

1. Name of appellant filing this case appeal statement: LYUDMYLA ABID.
2. Identify the judge issuing the decision, judgment, or order appealed from:  
HONORABLE LINDA MARQUIS, Department B, Family Division, Eighth Judicial District Court
3. Identify all parties to the proceedings in the district court: Plaintiff, SEAN ABID, and Defendant, LYUDMYLA ABID.
4. Identify all parties involved in the appeal: Plaintiff, SEAN ABID, and Defendant, LYUDMYLA ABID.
5. Set forth the name, law firm, address, and telephone number of all counsel on appeal and identify the party or parties whom they represent:

1 a. Radford J. Smith, Chartered  
2 Radford J. Smith, Esq.  
3 Nevada State Bar No. 002791  
4 2470 St. Rose Parkway, Suite 206  
5 Henderson, Nevada 89074  
6 Telephone: (702) 990-6448  
7 Facsimile: (702) 990-6445  
8 Attorneys for Lyudmyla Abid

9 b. Black & LoBello  
10 John D. Jones, Esq.  
11 Nevada State Bar No. 006699  
12 10777 West Twain Avenue, Suite 300  
13 Las Vegas, Nevada 89135  
14 Telephone: (702) 869-8801  
15 Attorneys for Sean Abid

16 5. Identify whether any attorney identified above in response to question 3 or 4 is not  
17 licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission  
18 to appear under SCR 42 (attach a copy of any district court order granting such permission): None.

19 6. Indicate whether appellant was represented by appointed or retained counsel in the  
20 district court: Appellant was represented by retained counsel.

21 7. Indicate whether Appellant is represented by appointed or retained counsel on appeal:  
22 Appellant is represented by retained counsel.

23 8. Indicate whether Appellant was granted leave to proceed in forma pauperis, and the date  
24 of entry of the district court granted such leave: None.

25 9. Indicate the date the proceedings commenced in the district court: A Joint Petition for  
26 Summary Decree of Divorce was filed on February 4, 2010.

27 10. Provide a brief description of the nature of the action and result in the district court,  
28 including the type of judgment or order being appealed and the relief granted by the district court:

1 This case involves Plaintiff, Sean Abid ("Sean")'s third attempt to modify custody of the parties'  
2 now six-year-old son, Sasha. Sean's attempt to modify custody and the expert report upon which he  
3 relied, are primarily based upon an audio recording that Sean surreptitiously obtained by placing a  
4 recording device into the minor child, Sasha Abid's ("Sasha") school backpack that Sean knew would  
5 continuously record conversations in Defendant, Lyudmyla Abid (Lyuda) home and vehicle.  
6

7 Sean testified that he understood that Lyuda, her husband, Ricky Marquez ("Ricky"), and her  
8 daughter Irena (from a previous marriage), all resided in Lyuda's home. He further understood that the  
9 recording would, for a period of 15 hours, record all conversations of any individual within recording  
10 distance of the device in the backpack.  
11

12 During the litigation, Sean did not produce the entirety of the two recordings that he secretly  
13 recorded, and he later acknowledged that he destroyed those recordings, the computer that housed them,  
14 and the device used to record them. Instead, he submitted, what he admitted are, selected portions of the  
15 recordings that he edited with software that he could not identify, and that he erased from his computer.  
16

17 Sean then provided the surreptitiously obtained and selectively destroyed recording to Dr.  
18 Stephanie Holland who conducted a child custody assessment in the case. Dr. Holland's report included  
19 a transcript of the tape, numerous references to the tape, and the tape was the basis of her interview of  
20 Sasha. Lyuda objected to the admission of the recordings, and objected to the admission of any expert  
21 report that utilized the tapes as all or part of its basis.  
22

23 By Findings of Fact, Conclusions of Law and Decision entered on January 5, 2016, the Court  
24 denied Sean's request to admit portions of the audio recording into evidence. By that Order, however,  
25 the Court allowed Dr. Holland to testify regarding her expert opinion in the matter. At the Evidentiary  
26 Hearing, Dr. Holland testified that if the tapes were found inadmissible and illegal by the Court, then  
27  
28

1 experts in her position would not have relied on such evidence. Further, she testified that she did not  
2 have adequate basis to recommend a modification of custody.

3 By Findings of Fact, Conclusions of Law, and Decision ("Decision") entered on March 1, 2016,  
4 the Court entered into an Order granting Sean's request to modify custody. The Court relied upon Dr.  
5 Holland's testimony to form the basis of a change of custody. As part of its decision, the Court did not  
6 consider any other evidence or testimony that was presented, including the testimony of Sasha's teacher  
7 who testified that Sasha is doing well in school and does not have any behavioral problems and does not  
8 evidence any signs of alienation from his father. The Court did not address the presumption that joint  
9 custody is in the best interest of the child when the parties have previously agreed to joint custody.  
10 Lyuda has appealed that Decision in the Supreme Court Appeal Number 69995.

11 On May 23, 2016, Sean filed a Motion to Reapportion Dr. Holland's Fees. On June 9, 2016,  
12 Lyuda filed an Opposition to Sean's motion and a Countermotion for Stay; Sanctions and Attorney's  
13 Fees. By an Order entered on July 29, 2016, the district court denied Lyuda's countermotion for stay  
14 and awarded Sean \$4,347.25 for the costs he paid to Dr. Holland. Lyuda appeals that Order. Because  
15 the Appeal Number 69995 and this current appeal are related to the same issues, Lyuda will file a  
16 Motion to Consolidate the Appeals pursuant to NRAP 3.

17 11. Indicate whether the case has previously been the subject of an appeal to or original writ  
18 proceeding in the Supreme Court and, if so, the caption and the Supreme Court docket number of the  
19 prior proceedings: Yes. *Lyudmyla Abid v. Sean Abid*, Supreme Court No. 69995.

20 12. Indicate whether this appeal involves child custody or visitation: Yes.

21 ...

22 ...

23 ...

1 13. If this is a civil case, indicate whether this appeal involves the possibility of settlement.

2 No.

3 DATED this <sup>15</sup> 11 of August, 2016.

4 RADFORD J. SMITH, CHARTERED

5  
6   
7 RADFORD J. SMITH, ESQ.

8 Nevada Bar No. 002791

9 2070 St. Rose Parkway, Suite 206

Henderson, Nevada 89074

10 T: (702) 990-6448

F: (702) 990-6456

11 Email: rsmith@radfordsmith.com

12 Attorneys for Defendant, Lyudmyla Abid

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01.

**CASE SUMMARY****CASE NO. D-10-424830-Z**

In the Matter of the Joint Petition for Divorce of:  
**Sean R Abid and Lyudmyla A Abid,**  
 Petitioners.

§  
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Location: **Department B**  
 Judicial Officer: **Marquis, Linda**  
 Filed on: **02/04/2010**

**CASE INFORMATION****Statistical Closures**

07/28/2016 Settled/Withdrawn Without Judicial Conference or Hearing  
 03/01/2016 Settled/Withdrawn With Judicial Conference or Hearing  
 02/28/2014 Settled/Withdrawn With Judicial Conference or Hearing  
 12/17/2012 Settled/Withdrawn With Judicial Conference or Hearing  
 02/17/2010 Decision without Trial / Hearing

Case Type: **Divorce - Joint Petition**  
 Subtype: **Joint Petition Subject Minor(s)**

Case  
 Status: **07/28/2016 Closed**

Case Flags: **Mail Received in the Clerk's  
 Office  
 Order After Hearing Required  
 Proper Person Mail Returned  
 Order / Decree Logged Into  
 Department  
 Proper Person Documents  
 Mailed  
 Appealed to Supreme Court**






**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number D-10-424830-Z  
 Court Department B  
 Date Assigned 01/05/2015  
 Judicial Officer Marquis, Linda

**PARTY INFORMATION**

<b>Petitioner</b>	<b>Abid, Lyudmyla A</b> <i>2167 Montana Pine DR Henderson, NV 89052</i>	<b>Pro Se</b> 702-208-0633(H)
	<b>Abid, Sean R</b> <i>2203 Alanhurst DR Henderson, NV 89052</i>	<b>Jones, John D.</b> <i>Retained</i> 702-869-8801(W) <b>Pro Se</b> 702-630-2300(H)
<b>Subject Minor</b>	<b>Abid, Aleksandr Anton</b>	


















**DATE****EVENTS & ORDERS OF THE COURT****EVENTS**

02/04/2010	 Joint Petition for Summary Decree of Divorce
02/04/2010	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner Abid, Lyudmyla A
02/04/2010	 Request for Summary Disposition Filed by: Petitioner Abid, Sean R; Petitioner Abid, Lyudmyla A of Joint Petition for Divorce
02/04/2010	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner Abid, Sean R
02/04/2010	 Affidavit of Resident Witness



**CASE SUMMARY**

**CASE NO. D-10-424830-Z**

	Filed by: Petitioner Abid, Sean R; Petitioner Abid, Lyudmyla A
02/04/2010	 Child Support and Welfare Party Identification Sheet Filed by: Petitioner Abid, Lyudmyla A; Subject Minor Abid, Aleksandr Anton
02/04/2010	 Child Support and Welfare Party Identification Sheet Filed by: Petitioner Abid, Sean R; Subject Minor Abid, Aleksandr Anton
02/17/2010	 Decree of Divorce Filed by: Petitioner Abid, Sean R; Petitioner Abid, Lyudmyla A
02/24/2010	 Notice of Entry of Order Filed by: Petitioner Abid, Sean R; Petitioner Abid, Lyudmyla A
02/23/2011	 Notice of Withdrawal Filed by: Petitioner Abid, Sean R <i>of attorney</i>
02/25/2011	 Stipulation and Order Filed by: Petitioner Abid, Sean R
08/02/2012	 Motion Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's Motion to Modify Physical Custody; for an Order to Show Cause to Find the Plaintiff in Contempt of Court; for Sanctions Against the Plaintiffs and to Reduce Arrears to Judgment Together With Interest and Penalty /thereon ans for Wage Withholding; for the Defendant's Attorney's Fees and Costs Incurred Herein; and Related Relief</i>
08/07/2012	 Certificate of Mailing Filed by: Petitioner Abid, Lyudmyla A <i>Certificate of Mailing</i>
08/07/2012	 Financial Disclosure Form Filed by: Petitioner Abid, Lyudmyla A <i>Financial Disclosure Form</i>
08/23/2012	 Notice of Appearance Party: Petitioner Abid, Sean R <i>Notice of Appeaance</i>
08/30/2012	 Financial Disclosure Form Filed by: Petitioner Abid, Sean R <i>Financial Disclosure Form</i>
08/31/2012	 Certificate of Mailing Filed by: Petitioner Abid, Sean R <i>Certificate of Mailing</i>
09/11/2012	 Stipulation and Order Filed by: Petitioner Abid, Sean R <i>Stipulation and Order to Continue Hearing</i>
11/14/2012	 Notice of Withdrawal Filed by: Petitioner Abid, Lyudmyla A <i>Notice of Withdrawal as Counsel of Record</i>
12/03/2012	 Stipulation and Order Filed by: Petitioner Abid, Sean R <i>Stipulation and Order</i>
12/04/2012	 Notice of Entry of Stipulation and Order Filed by: Petitioner Abid, Sean R
12/17/2012	 Domestic Notice to Statistically Close Case Party: Petitioner Abid, Sean R

**CASE SUMMARY**

**CASE NO. D-10-424830-Z**

*Domestic Notice to Statistically Close Case*

01/11/2013



Notice of Withdrawal

Filed by: Petitioner Abid, Sean R

*Notice of Withdrawal of Attorney of Record*

04/15/2013

Administrative Reassignment to Department N

*Case reassigned from Judge Cynthia Giuliani Dept K*

06/17/2013



Motion

Filed by: Petitioner Abid, Sean R

*Plaintiff's Motion to Change Custody for the Purposes of Relocation or in the Alternative to Change Custody*

06/20/2013



Ex Parte Motion

Filed by: Petitioner Abid, Sean R

*Ex Parte Motion for Order Shortening Time of the Hearing on Plaintiff, Sean R. Abid's Motion to Change Custody for the Purposes of Relocation or in the Alternative to Change Custody*

06/21/2013



Notice of Appearance

Party: Petitioner Abid, Lyudmyla A

*Notice of Appearance*

06/24/2013



Receipt of Copy

Filed by: Petitioner Abid, Sean R

*Receipt of Copy*

06/24/2013



Order Shortening Time

Filed by: Petitioner Abid, Sean R

*Order Shortening Time*

06/25/2013



Notice of Entry of Order

Filed by: Petitioner Abid, Sean R

*Notice of Entry of Order Shortening time*

07/01/2013



Opposition and Countermotion

Filed by: Petitioner Abid, Lyudmyla A

*Opposition to Plaintiff's Motion to Change Custody for Purposes of Relocation or in the Alternative to Change Custody and Countermotion for Referral to Family Mediation Center (FMC) to Formulate more Detailed Parenting Agreement for Holidays and for Attorney Fees*

07/02/2013



Declaration

Filed by: Petitioner Abid, Sean R

*Declaration of Plaintiff, Sean R. Abid, in Response To Defendant's Opposition To Plaintiff's Motion To Change Custody For The Purposes Of Relocation Or In The Alternative To Change Custody*

07/02/2013



Supplement

Filed by: Petitioner Abid, Lyudmyla A

*Supplemental Exhibit in Support of Defendant's Opposition to Plaintiff's Motion to Change Custody for the Purposes of Relocation or on the Alternative to Change Custody and Countermotion for Referral to Family Mediation (FMC) to Formulate a More Detailed Parenting Agreement for Holidays and for Attorney Fees*

07/03/2013



Referral Order for Outsourced Evaluation Services

07/16/2013



Stipulation and Order

Filed by: Petitioner Abid, Sean R

*Stipulation and Order*

10/11/2013



Order Setting Evidentiary Hearing

Filed by: Petitioner Abid, Sean R

*Order Setting Evidentiary Hearing*

12/02/2013



Pre-trial Memorandum

Filed by: Petitioner Abid, Lyudmyla A

*Pre-Trial Memorandum*














12/05/2013



Pre-trial Memorandum

**CASE SUMMARY**

**CASE NO. D-10-424830-Z**

	Filed by: Petitioner Abid, Sean R <i>Plaintiff, Sean R. Abid's, Pretrial Memorandum</i>
02/19/2014	 Order Filed by: Petitioner Abid, Sean R <i>Order re: October 8, 2013 Hearing</i>
02/25/2014	 Notice of Entry of Order Filed by: Petitioner Abid, Sean R <i>Notice of Entry of Order re: October 8, 2013 Hearing</i>
02/27/2014	 Domestic Notice to Statistically Close Case Party: Petitioner Abid, Sean R <i>Domestic Notice to Statistically Close Case</i>
03/12/2014	 Order Filed by: Petitioner Abid, Sean R <i>Order re: December 9, 2013 Evidentiary Hearing</i>
03/17/2014	 Notice of Entry of Order Filed by: Petitioner Abid, Sean R <i>Notice of Entry of Order re: December 9, 2013 Evidentiary Hearing</i>
09/09/2014	 Amended Filed By: Petitioner Abid, Sean R <i>Amended Order re: December 9, 2013 Evidentiary Hearing</i>
09/15/2014	 Notice of Entry of Order Filed by: Petitioner Abid, Sean R <i>Notice of Entry of Amended Order re: December 9, 2013 Evidentiary Hearing</i>
10/19/2014	Administrative Reassignment to Department B <i>Family Court Caseload Redistribution 2014</i>
01/05/2015	Judicial Elections 2014 - Case Reassignment <i>Family Court Judicial Officer Reassignment 2014</i>
01/09/2015	 Motion Filed by: Petitioner Abid, Lyudmyla A <i>Motion to Hold Plaintiff in Contempt of Court, to Modify Order Regarding Timeshare or in the Alternative for Appointment of Parenting Coordinator, to Compel Production of Minor Child's Passport and for Attorney Fees</i>
01/21/2015	 Ex Parte Application Filed by: Petitioner Abid, Lyudmyla A <i>Ex Parte Application for Order to Show Cause</i>
01/30/2015	 Certificate of Service Filed by: Petitioner Abid, Lyudmyla A <i>Certificate of Service of Motion to Hold Plaintiff in Contempt of Court, to Modify Order Regarding Timeshare or in the Alternative for the Appointment of a Parenting Coordinator, to Compel Production of Minor Child's Passport and for Attorney Fees</i>
02/04/2015	 Opposition and Countermotion Filed by: Petitioner Abid, Sean R <i>Opposition Of Plaintiff, Sean R. Abid, To Defendant's Motion To Hold Plaintiff In Contempt Of Court, To Modify Order Regarding Timeshare Or In The Alternative For The Appointment Of A Parenting Coordinator, To Compel Production Of Minor Child's Passport And For Attorney Fees and Countermotion to Change Custody and For Attorneys' Fees And Costs</i>
02/04/2015	 Declaration Filed by: Petitioner Abid, Sean R <i>Declaration of Sean Abid in Response to Defendant's Motion to Hold Plaintiff in Contempt of Court, to Modify Order Regarding Timeshare or in the Alternative for the Appointment of a Parenting Coordinator, to Compel Production of Minor Child's Passport and for Attorney Fees</i>
02/04/2015	 Declaration

**CASE SUMMARY**

**CASE NO. D-10-424830-Z**

	Filed by: Petitioner Abid, Sean R <i>Declaration of Sean Abid in Support of His Countermotion to Change Custody</i>
02/09/2015	 Stipulation and Order Filed by: Petitioner Abid, Lyudmyla A <i>Stipulation and Order</i>
03/13/2015	 Opposition to Motion Filed by: Petitioner Abid, Lyudmyla A <i>Opposition to Plaintiff's Motion to Change Custody and Countermotion to Strike Plaintiff's opposition and to Suppress the alleged Contents of the Unlawfully Obtained Recording and for Sanctions and Attorney Fees</i>
03/13/2015	 Declaration Filed by: Petitioner Abid, Lyudmyla A <i>Declaration of Lyudmyla A. Abid in Support of her Motion and in Response to Plaintiff's Opposition and Countermotion</i>
03/16/2015	 Miscellaneous Filing Party: Petitioner Abid, Sean R <i>Submissions of Authorities</i>
03/16/2015	 Declaration Filed by: Petitioner Abid, Sean R <i>Declaration of Defendant in Response to Plaintiff's Opposition to Motion to Modify Alimony, to Reopen Discovery and for Attorney's Fees and Countermotion for Order to Show Cause and Attorney's Fees and Costs</i>
03/18/2015	 Referral Order for Outsourced Evaluation Services
03/18/2015	 Case Management Order <i>Case and Trial Management Order</i>
03/19/2015	 Points and Authorities Filed by: Petitioner Abid, Sean R <i>Points and Authorities Regarding Dr. Holland Receiving Recordings</i>
03/23/2015	 Points and Authorities Filed by: Petitioner Abid, Lyudmyla A <i>Points and Authorities in Support of Defendant's Objection to Providing Contents of Alleged Tape Recording to Dr. Holland</i>
04/01/2015	 Receipt of Copy Filed by: Petitioner Abid, Sean R <i>Receipt of Copy</i>
06/10/2015	 Motion Filed by: Petitioner Abid, Sean R <i>Plaintiff's Emergency Motion Regarding Summer Visitation Schedule</i>
06/10/2015	 Ex Parte Filed by: Petitioner Abid, Sean R <i>Ex Parte Motion for Order Shortening Time of the Hearing on Plaintiff's Emergency Motion Regarding Summer Visitation Schedule</i>
06/11/2015	 Order Shortening Time Filed by: Petitioner Abid, Sean R <i>Order Shortening Time</i>
06/11/2015	 Certificate of Service Filed by: Petitioner Abid, Sean R <i>Certificate of Service</i>
06/15/2015	 Notice of Entry of Order Filed by: Petitioner Abid, Sean R <i>Notice of Entry of Order Shortening Time</i>
















# CASE SUMMARY

CASE NO. D-10-424830-Z

06/16/2015	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner Abid, Lyudmyla A <i>Petitioner Lyudmyla Pyankovska's Notice of UNLV Seminar Completion EDCR 5.07 - Family</i>
06/16/2015	 Receipt of Copy Filed by: Petitioner Abid, Sean R <i>Receipt of Copy</i>
06/23/2015	 Opposition and Countermotion Filed by: Petitioner Abid, Lyudmyla A <i>Opposition to Plaintiff's Emergency Motion Regarding Summer Visitation Schedule and Countermotion to Strike Plaintiff's Pleadings, to Suppress the Alleged Contents of the Unlawfully Obtained Recording, to Strike the Letter From Dr. Holland and for Sanctions and Attorney Fees</i>
06/30/2015	 Witness List Filed by: Petitioner Abid, Lyudmyla A <i>List of Witnesses for Evidentiary Hearing</i>
07/13/2015	 Reply Filed by: Petitioner Abid, Sean R <i>Reply of Plaintiff, Sean R. Abid, to Defendant's Opposition to Plaintiff's Emergency Motion Regarding Summer Visitation Schedule and Countermotion to Strike Plaintiff's Pleadings, to Suppress the Alleged Contents of the Unlawfully Obtained Recording, to Strike the Letter From Dr. Holland and for Sanctions and Attorney Fees</i>
07/14/2015	 Supplemental Filed by: Petitioner Abid, Lyudmyla A <i>Supplemental Points and Authorities in Support of Defendant's Countermotion to Strike Plaintiff's Pleadings, to Suppress the Alleged Contents of the Unlawfully Obtained Recording, to Strike The Letter from Dr. Holland and for Sanctions and Attorney Fees</i>
07/16/2015	 Order for Family Mediation Center Services
07/29/2015	 Notice of Appearance Party: Petitioner Abid, Lyudmyla A <i>Notice of Appearance</i>
07/30/2015	 Financial Disclosure Form Filed by: Petitioner Abid, Sean R <i>General Financial Disclosure Form</i>
07/31/2015	 Ex Parte Filed by: Petitioner Abid, Lyudmyla A <i>Ex Parte Request to Copy and Transfer Dr. Stephanie Holland's Report to Defendant's Consultant</i>
07/31/2015	 Witness List Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's List of Expert Witnesses</i>
07/31/2015	 Motion Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's Motion to Continue Evidentiary Hearing</i>
08/03/2015	 Certificate of Service Filed by: Petitioner Abid, Sean R <i>Certificate of Service</i>
08/04/2015	 Ex Parte Filed by: Petitioner Abid, Lyudmyla A <i>Ex Parte Motion (With Notice) for Order Shortening Time</i>
08/06/2015	 Receipt of Copy Filed by: Petitioner Abid, Lyudmyla A <i>Receipt of Copy</i>
08/06/2015	

















**CASE SUMMARY**

**CASE NO. D-10-424830-Z**

	 Order Filed by: Petitioner Abid, Lyudmyla A <i>Order Granting Ex Parte Request</i>
08/07/2015	 Notice of Entry of Order Filed by: Petitioner Abid, Lyudmyla A <i>Notice of Entry of Order</i>
08/07/2015	 Substitution of Attorney Filed by: Petitioner Abid, Lyudmyla A <i>Substitution of Attorney</i>
08/07/2015	 Receipt of Copy Filed by: Petitioner Abid, Lyudmyla A <i>Receipt of Copy of Defendant's Second list of Witnesses and Exhibits for Evidentiary Hearing Pursuant to NRCP 16.2</i>
08/07/2015	 Exhibits Filed by: Petitioner Abid, Sean R <i>Defendant's Second List of Witnesses and Exhibits for Evidentiary Hearing Pursuant to NRCP 16.2</i>
08/10/2015	 Case Management Order <i>Case and Trial Management Order</i>
08/18/2015	 Witness List Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's Third Supplemental List of Witnesses</i>
08/31/2015	 Order Filed by: Petitioner Abid, Sean R <i>Order</i>
09/01/2015	 Notice of Entry of Order Filed by: Petitioner Abid, Lyudmyla A <i>Notice of Entry of Order</i>
09/01/2015	 Motion Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's Motion to Extend the Deadline to Produce Dr. Chambers' Child Interview Report, or Alternatively, Continuing the Evidentiary Hearing to the Next Available Date (2nd Request)</i>
09/02/2015	 Ex Parte Motion Filed by: Petitioner Abid, Lyudmyla A <i>Ex Parte Motion for Order Shortening Time</i>
09/03/2015	 Order Filed by: Petitioner Abid, Lyudmyla A <i>Order Granting Ex Parte Request</i>
09/03/2015	 Notice of Entry of Order Filed by: Petitioner Abid, Lyudmyla A <i>Notice of Entry of Order</i>
09/04/2015	 Receipt of Copy Filed by: Petitioner Abid, Lyudmyla A <i>Receipt of Copy</i>
09/09/2015	 Notice Filed by: Petitioner Abid, Sean R <i>Notice of Intent to Appear by Communication Equipment</i>
10/01/2015	 Stipulation and Order Filed by: Petitioner Abid, Sean R <i>Stipulation and Order</i>

# CASE SUMMARY

CASE NO. D-10-424830-Z

10/06/2015	 Notice of Entry of Stipulation and Order Filed by: Petitioner Abid, Sean R <i>Notice of Entry of Stipulation and Order to Continue Trial</i>
10/13/2015	 Production of Documents Filed by: Petitioner Abid, Lyudmyla A <i>DEFENDANT'S SECOND SUPPLEMENTAL PRODUCTION OF DOCUMENTS PURSUANT TO NRCP 16.2</i>
10/15/2015	 Proof of Service Filed by: Petitioner Abid, Sean R <i>Proof of Service</i>
11/09/2015	 Financial Disclosure Form Filed by: Petitioner Abid, Lyudmyla A <i>Financial Disclosure Form</i>
11/16/2015	 Pre-trial Memorandum Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's Pre-Hearing Memorandum</i>
11/16/2015	 Receipt of Copy Filed by: Petitioner Abid, Sean R <i>Receipt of Copy</i>
11/16/2015	 Receipt of Copy Filed by: Petitioner Abid, Lyudmyla A <i>Receipt of Copy</i>
11/16/2015	 Pre-trial Memorandum Filed by: Petitioner Abid, Sean R <i>Plaintiff's Trial Memorandum</i>
11/17/2015	 Proof of Service Filed by: Petitioner Abid, Sean R <i>Proof of Service</i>
11/17/2015	 Receipt of Copy Filed by: Petitioner Abid, Lyudmyla A <i>Receipt of Copy</i>
11/19/2015	 Production of Documents Filed by: Petitioner Abid, Sean R <i>Plaintiff's Third List of Witnesses and Documents Pursuant to NRCP 16.2</i>
12/04/2015	 Stipulation and Order Filed by: Petitioner Abid, Lyudmyla A <i>Stipulation and Order</i>
12/04/2015	 Brief Filed by: Petitioner Abid, Sean R <i>Plaintiff's Brief Regarding Recordings</i>
12/04/2015	 Supplement Filed by: Petitioner Abid, Lyudmyla A <i>Defendant's Supplemental Brief In Support of Her Objection to Plaintiff's Request to Admit Portions of Audio Recordings He Illegally Obtained, Modified, and Willfully Destroyed to Avoid Criminal Prosecution and Prevent Defendant from Reviewing</i>
12/29/2015	 Ex Parte Motion Filed by: Petitioner Abid, Lyudmyla A <i>Ex Parte Motion for Order Shortening Time</i>
12/29/2015	 Motion Filed by: Petitioner Abid, Lyudmyla A

**CASE SUMMARY**

**CASE NO. D-10-424830-Z**

*Motion in Limine to Exclude Recording Plaintiff Surreptitiously Obtained Outside Courtroom on November 18, 2015, Sanctions and Attorney's Fees*

01/04/2016



Errata

Filed by: Petitioner Abid, Lyudmyla A

*DEFENDANT'S ERRATA TO MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF*

*SURREPTITIOUSLY OBTAINED OUTSIDE COURTROOM ON NOVEMBER 18, 2015, SANCTIONS AND ATTORNEY'S FEES*

01/05/2016



Findings of Fact, Conclusions of Law and Judgment

*Findings of Fact, Conclusions of Law and Judgment*

01/06/2016



Opposition and Countermotion

Filed by: Petitioner Abid, Sean R

*Opposition of Plaintiff, Sean R. Abid, to Defendant's Motion in Limine to Exclude Recording Plaintiff*

*Surreptitiously Obtained Outside Courtroom on November 18, 2016, Sanctions and Attorney's Fees and Countermotion For Attorneys' Fees and Costs*

01/07/2016



Order

Filed by: Petitioner Abid, Lyudmyla A

*Order*

01/08/2016



Receipt of Copy

Filed by: Petitioner Abid, Lyudmyla A

*Receipt of Copy*

03/01/2016



Notice of Entry of Order

Filed by: Petitioner Abid, Sean R

*Notice of Entry of Order*

03/01/2016



Findings of Fact, Conclusions of Law and Judgment

Filed by: Petitioner Abid, Sean R

*Findings of Fact, Conclusions of Law and Judgment*

03/14/2016



Notice of Appeal

Filed by: Petitioner Abid, Lyudmyla A

*Notice of Appeal*

03/16/2016



Estimate of Transcript

*hearing dates July 16, 2015; November 17, 2015; November 18, 2015; November 19, 2015; January 11, 2016; January 25, 2016*

03/16/2016



Estimate of Transcript

*hearing date December 09, 2013*

03/28/2016



Bond

Filed by: Attorney Smith, Radford J, ESQ

03/30/2016



Case Appeal Statement

Filed by: Petitioner Abid, Lyudmyla A

*Case Appeal Statement*

04/25/2016



Transcript of Proceedings

*Re: Evidentiary Hearing, Monday, December 9, 2013*

04/25/2016



Receipt of Copy

Filed by: Petitioner Abid, Sean R

Party 2: Petitioner Abid, Lyudmyla A

*December 9, 2013*

04/25/2016



Certification of Transcripts Notification of Completion

*December 9, 2013*

04/25/2016



Final Billing of Transcript


















Filed by: Petitioner Abid, Sean R



# CASE SUMMARY

CASE NO. D-10-424830-Z

December 9, 2013

04/25/2016	 Transcript of Proceedings <i>Re: Joint Petition for Divorce, Thursday, July 16, 2015</i>
04/25/2016	 Transcript of Proceedings <i>Re: Evidentiary Hearing, Wednesday, November 18, 2015</i>
04/25/2016	 Transcript of Proceedings <i>Re: Evidentiary Hearing, Tuesday, November 17, 2015</i>
04/25/2016	 Transcript of Proceedings <i>Re: Non-Jury Trial, Monday, January 11, 2016</i>
04/25/2016	 Transcript of Proceedings <i>Re: Joint Petition for Divorce, Thursday, November 19, 2015</i>
04/25/2016	 Transcript of Proceedings <i>Re: Non-Jury Trial- Vol I, Monday, January 25, 2016</i>
04/25/2016	 Transcript of Proceedings <i>Re: Non-Jury Trial-Vol II, Monday, January 25, 2016</i>
05/03/2016	 Certification of Transcripts Notification of Completion <i>July 16, 2015, November 17, 2015, November 18, 2015, November 19, 2015, January 11, 2016, January 25, 2016</i>
05/03/2016	 Receipt of Copy Filed by: Petitioner Abid, Lyudmyla A Party 2: Petitioner Abid, Sean R <i>July 16, 2015, November 17, 2015, November 18, 2015, November 19, 2015, January 11, 2016, January 25, 2016</i>
05/03/2016	 Final Billing of Transcript Filed by: Petitioner Abid, Lyudmyla A <i>July 16, 2015, November 17, 2015, November 18, 2015, November 19, 2015, January 11, 2016, January 25, 2016</i>
05/10/2016	 Estimate of Transcript <i>hearing dates March 18, 2015; June 25, 2015; August 10, 2015; September 9, 2015</i>
05/23/2016	 Motion Filed by: Petitioner Abid, Sean R <i>Plaintiff's Motion to Reapportion Dr. Holland's Fees</i>
06/07/2016	 Financial Disclosure Form Filed by: Petitioner Abid, Sean R <i>Financial Disclosure Form</i>
06/09/2016	 Opposition Filed by: Petitioner Abid, Lyudmyla A <i>Opposition to Motion to Reapportion Dr. Holland's Fees and Countermotion for Stay; Sanctions and Attorney's Fees</i>
06/20/2016	 Substitution of Attorney Filed by: Petitioner Abid, Lyudmyla A <i>Substitution of Attorney</i>
06/21/2016	 Final Billing of Transcript Filed by: Petitioner Abid, Sean R <i>Re: March 18, 2015; June 25, 2015; August 10, 2015; September 9, 2015</i>
06/21/2016	 Receipt of Copy Filed by: Petitioner Abid, Sean R Party 2: Petitioner Abid, Lyudmyla A

# CASE SUMMARY

CASE NO. D-10-424830-Z

*Re: March 18, 2015; June 25, 2015; August 10, 2015; September 9, 2015*

06/21/2016



Certification of Transcripts Notification of Completion

*Re: March 18, 2015; June 25, 2015; August 10, 2015; September 9, 2015*

06/21/2016



Transcript of Proceedings

*Re: All Pending Motions - Thursday, June 25, 2015*

06/21/2016



Transcript of Proceedings

*Re: Motion - Wednesday, September 9, 2015*

06/21/2016



Transcript of Proceedings

*Re: Motion to Continue - Monday, August 10, 2015*

06/21/2016



Transcript of Proceedings

*Re: All Pending Motions - March 18, 2015*

07/06/2016



Declaration

Filed by: Petitioner Abid, Sean R

*Declaration of Plaintiff, Sean R. Abid, in Response to Opposition to Motion to Reapportion Dr. Holland's Fees*

07/06/2016



Reply

Filed by: Petitioner Abid, Sean R

*Plaintiff's Reply To Defendant's Opposition to Plaintiff's Motion to Reapportion Dr. Holland's and Countermotion for Stay, Sanctions and Attorney Fees*

07/27/2016



Order

Filed by: Petitioner Abid, Sean R

*Order*

07/29/2016



Notice of Entry of Order

Filed by: Petitioner Abid, Sean R

*Notice of Entry of Order re: The Court's Minute Order of July 14, 2016*

08/08/2016



Notice of Appeal

Filed by: Petitioner Abid, Lyudmyla A

*Notice of Appeal*

08/11/2016



Case Appeal Statement

Filed by: Petitioner Abid, Lyudmyla A

*Case Appeal Statement*

## HEARINGS

10/23/2012



**Motion to Modify Custody (11:00 AM) (Judicial Officer: Giuliani, Cynthia N.)**

Events: 08/02/2012 Motion

*Deft's Motion to Modify Physical Custody; for an Order to Show Cause to Find the Pltf in Contempt of Court; for Sanctions Against the Plaintiffs and to Reduce Arrears to Judgment Together with Interest and Penalty Thereon and for Wage Withholding; for the Dependent Tax Deduction; for Deft's Attorney's Fees and Costs Incurred Herein; and Related Relief*

Off Calendar;

Journal Entry Details:

*DEFT'S MOTION TO MODIFY PHYSICAL CUSTODY; FOR AN ORDER TO SHOW CAUSE TO FIND THE PLTF IN CONTEMPT OF COURT; FOR SANCTIONS AGAINST THE PLAINTIFFS AND TO REDUCE ARREARS TO JUDGMENT TOGETHER WITH INTEREST AND PENALTY THEREON AND FOR WAGE WITHHOLDING; FOR THE DEPENDENT TAX DEDUCTION; FOR DEFT'S ATTORNEY'S FEES AND COSTS INCURRED HEREIN; AND RELATED RELIEF Court called the case. Court stated prior to the hearing it had received a Stipulation And Order, containing the parties' agreements and resolving the issues, that would be signed by the Court. COURT ORDERED: Matter OFF CALENDAR. ;*

07/03/2013

**Motion to Modify Custody (11:00 AM) (Judicial Officer: Harter, Mathew)**

Events: 06/17/2013 Motion

*Sean R Abid's Motion to Change Custody for the Purposes of Relocation or in the Alternative to Change Custody*

Hearing Set;

07/03/2013

**Opposition & Countermotion (11:00 AM) (Judicial Officer: Harter, Mathew)**

# CASE SUMMARY


CASE NO. D-10-424830-Z

Events: 07/01/2013 Opposition and Countermotion

*Lyudmyla A. Abid's Opposition & Countermotion For Referral To Family Mediation Center (FMC) To Formulate More Detailed Parenting Agreement For Holidays And For Atty Fees*

Hearing Set;

07/03/2013

 **All Pending Motions (11:00 AM)** (Judicial Officer: Harter, Mathew)

Matter Heard;

Journal Entry Details:

*SEAN R. ABID'S MOTION TO CHANGE CUSTODY FOR THE PURPOSES OF RELOCATION OR, IN THE ALTERNATIVE, TO CHANGE CUSTODY...LYUDMYLA A. ABID'S OPPOSITION AND COUNTERMOTION FOR REFERRAL TO FAMILY MEDIATION CENTER (FMC) TO FORMULATE A MORE DETAILED PARENTING AGREEMENT FOR HOLIDAYS AND FOR ATTY FEES Court called the case then discussed the issues. Argument and discussion regarding the motion and countermotion issues, for an outsourced evaluation and Defendant's vacation plans in Mexico and counsel's request for an Order to allow Mr. Abid to be the care provider for the child during Ms. Abid's time in Mexico. Further argument and discussion. COURT ORDERED: The parties are referred for an OUTSOURCED EVALUATION regarding the CUSTODY and RELOCATION issues. The parties are REFERRED to DR. JOHN PAGLINI. If Dr. Paglini is unable to conduct the evaluations they shall be done by NICOLAS PONZO. MR. ABID shall be RESPONSIBLE for PAYMENT for the EVALUATIONS, subject to REIMBURSEMENT from Defendant. A RETURN HEARING regarding the OUTSOURCED EVALUATIONS is calendared for OCTOBER 08, 2013 at 1:30 P.M. An EVIDENTIARY HEARING regarding the RELOCATION and CUSTODY issues shall be calendared after the EVALUATIONS. A CALENDAR CALL shall also be heard on OCTOBER 08, 2013 at 1:30 P.M. DISCOVERY is OPEN. The parties and counsel shall FOLLOW the 16.2 DISCLOSURE RULE for the WITNESSES and DOCUMENTS. All other MATTERS shall remain STATUS QUO. The MINUTE ORDER shall SUFFICE as the post hearing ORDER. ;*

10/08/2013

**Return Hearing (1:30 PM)** (Judicial Officer: Harter, Mathew)

*Return: Outsourced Evaluation*


Matter Heard; See All Pending Entry 10/08/2013

10/08/2013

**Calendar Call (1:30 PM)** (Judicial Officer: Harter, Mathew)

Matter Heard; See All Pending Entry 10/08/2013

10/08/2013


 **All Pending Motions (1:30 PM)** (Judicial Officer: Harter, Mathew)

Matter Heard;

Journal Entry Details:

*CALENDAR CALL...RETURN HEARING: OUTSOURCED EVALUATION The Court and counsel reviewed Dr. Paglini's report dated 10/04/2013. Mr. Jones stated that dad is not relocating and he wishes to proceed with his Motion for change of custody. Court noted the parties have joint physical custody by stipulation. Court cited NRS 125.490(1), and stated dad has an elevated burden. Mr. Jones requested an equal division of Dr. Paglini's cost. Mr. Balabon requested there be no police involvement during the exchanges and dad not pick up the minor child from school during mom's custodial time share. COURT ORDERED as follows: 1) The parties shall follow Dr. Paglini's recommendations. Mom instructed not to leave the minor child alone with, Ricky Marquez. If the minor child is left alone with him, the Court will modify custody; 2) Matter set for EVIDENTIARY HEARING, as to custody, on 12/09/2013 at 9:00 AM. List of witnesses and documents must be submitted at least 20 days before trial, pursuant to NRCP 16.2. The Court shall admit Dr. Paglini's report as the Court's exhibit 1, pursuant to EDCR 5.13(c), at trial. ;*

12/09/2013

 **Evidentiary Hearing (10:00 AM)** (Judicial Officer: Harter, Mathew)

Events: 10/11/2013 Order Setting Evidentiary Hearing

Matter Settled;

Journal Entry Details:

*EVIDENTIARY HEARING The Court referred Mr. Jones to his Pretrial Memorandum, page 3, and clarified that the "pure best interest Truax standard" did not apply. Court noted the parties agreed to joint physical custody and cited NRS 125.490(1) and Mosley vs. Figliuzzi case. Opening statements WAIVED. Testimony and exhibits presented, see worksheets. COURT ORDERED, John Paglini, Psy.D., report dated October 4, 2013, shall be ADMITTED as the Court's Exhibit 1, pursuant to EDCR 5.13. Discussion regarding Dr. Paglini's testimony regarding Defendant's husband, Ricky Marquez. The Court noted that it is not concerned with guns, as long as they are kept in a safe. The Court is inclined to refer Mr. Marquez for a criminal risk assessment with Shera Bradley, Ph.D (at Plaintiff's cost), and inclined to refer the matter to a Parenting Coordinator. The Court is also inclined to maintain supervised visitation for a period of 3 years. If Defendant wants the supervised visitation lifted, Defendant shall pay the cost of the criminal risk assessment. Further, if Plaintiff can prove that Defendant left the minor child alone with Mr. Marquez, the Court shall modify custody immediately. Matter TRAILED. Counsel agreed to confer on the issue. Matter RECALLED. The parties reached the following agreement: a) The parties shall maintain their time share of Monday and Tuesday to Defendant and Wednesday and Thursday to Plaintiff, alternating weekends. The following modification will apply: Plaintiff shall pick up the minor child after school on his custodial days and shall keep him until 5:30 PM. The parties shall work with each other on the exchanges and will communicate in a manner that is positive and reasonable. Further, the parties will be*

# CASE SUMMARY

CASE NO. D-10-424830-Z

reasonable and flexible with the exchange times; b) The minor child will attend American Heritage School and the parties shall equally pay the cost of the tuition; c) Beginning next year, the minor child will attend school in Plaintiff's school zone; d) Defendant shall reimburse Plaintiff one half of Dr. Paglini's cost (approximately \$12,000 to \$14,000), for his evaluation and testimony time; e) The parties holiday schedule shall remain the same; however, the default return time shall be 8:00 AM the next day. The parties may agree to a different time, but if no agreement is reached, the default time shall apply; f) The following schedule shall apply during the summer: in even years, beginning 2014, Plaintiff shall have 6 weeks of summer vacation and Defendant shall have 4 weeks of summer vacation with the minor child. In odd years, beginning 2015, Defendant shall have 6 weeks of summer vacation and Plaintiff shall have 4 weeks of summer vacation with the minor child; g) The parties shall refer to a Parenting Coordinator if difficulties arise in the future. The parties agreed to use Margaret Pickard; h) All other provisions of the prior Custody and Support Orders shall remain in effect; i) The temporary Order requiring supervised visitation for Mr. Marquez is lifted; j) There will be no police involvement unless there is a violation of the Orders. Mr. Jones and Mr. Balabon stipulated to EDCR 7.50. COURT ORDERED as follows: 1) The above agreement is binding and enforceable pursuant to EDCR 7.50; 2) If problems arise in the future, Plaintiff and/or Defendant shall contact Department N for a Parenting Coordinator Order. The Court shall incorporate Ms. Pickard's name in the Order. If Ms. Pickard finds that a Coordinator with a Psy.D level is necessary, the Court suggested Michelle Gravley; 3) Mr. Jones shall prepare the Order and Mr. Balabon shall review and sign off.;

02/09/2015

**Motion (10:00 AM) (Judicial Officer: Marquis, Linda)**

**02/09/2015, 03/18/2015**

Events: 01/09/2015 Motion

*Lyudmyla A. Abid's Motion to Hold Pltf in Contempt of Court, to Modify Order Regarding Timeshare or in the Alternative for the Appointment of a Parenting Coordinator, to Compel Production of Minor Child's Passport and for Atty Fees*

Matter Continued;

Evidentiary Hearing;

Matter Continued;

Evidentiary Hearing;

02/09/2015

**Opposition & Countermotion (10:00 AM) (Judicial Officer: Marquis, Linda)**

**02/09/2015, 03/18/2015**

Events: 02/04/2015 Opposition and Countermotion

*Sean R. Abid's Opposition & Countermotion to Change Custody and for Atty's Fees and Costs*

Matter Continued;

Evidentiary Hearing;

Matter Continued;

Evidentiary Hearing;

02/09/2015



**All Pending Motions (10:00 AM) (Judicial Officer: Marquis, Linda)**

Matter Heard;

Journal Entry Details:

*LYUDMYLA A. ABID'S MOTION TO HOLD PLAINTIFF IN CONTEMPT OF COURT, TO MODIFY ORDER REGARDING TIMESHARE OR IN THE ALTERNATIVE FOR THE APPOINTMENT OF A PARENTING COORDINATOR, TO COMPEL PRODUCTION OF MINOR CHILD'S PASSPORT AND FOR ATTORNEY FEES...SEAN R. ABID'S OPPOSITION AND COUNTERMOTION TO CHANGE CUSTODY AND FOR ATTORNEY'S FEES AND COSTS NO APPEARANCES. Prior to Court, counsel contacted the Court's staff and requested to continue the matter; COURT ORDERED: matter CONTINUED TO March 18 2015 at 10:00 A.M. ;*

03/18/2015



**All Pending Motions (10:00 AM) (Judicial Officer: Marquis, Linda)**

Events: 01/09/2015 Motion

02/04/2015 Opposition and Countermotion

Matter Heard;

Journal Entry Details:

*LYUDMYLA A. ABID'S MOTION TO HOLD PLAINTIFF IN CONTEMPT OF COURT, TO MODIFY ORDER REGARDING TIMESHARE OR IN THE ALTERNATIVE FOR THE APPOINTMENT OF A PARENTING COORDINATOR, TO COMPEL PRODUCTION OF MINOR CHILDS' PASSPORT AND FOR ATTORNEY FEES...SEAN R. ABID'S OPPOSITION AND COUNTERMOTION TO CHANG CUSTODY AND FOR ATTORNEY'S FEES AND COSTS Argument by counsel regarding Defendant's motion and Plaintiff's opposition and countermotion. Attorney Jones stated he would provide counsel with a copy of the audio recording. COURT ORDERED: 1. The CUSTODY issue shall be DEFERRED to the Evidentiary Hearing. 2. Temporarily, the VISITATION schedule shall remain the same. 3. Defendant's travel with the child to the Ukraine shall be DEFERRED. Per STIPULATION of counsel, if Defendant wishes to travel to a HAGUE SIGNATORY country that has not been issued a travel warning by the U.S. Department of State, Plaintiff shall provide Defendant with the child's passport so she may exercise her six week s vacation and Defendant shall return the child's passport to Plaintiff upon her return from vacation. 4. The entire packet of the child's HOMEWORK, the books and the flashcards, shall remain in the child's backpack. 5. Per STIPULATION of counsel, Dr. Stephanie Holland shall*

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perform the CHILD INTERVIEW. At this time, the parties shall split the cost of the CHILD INTERVIEW 50/50. However, if one party should overwhelmingly prevail at the EVIDENTIARY HEARING, the non-prevailing party shall be responsible for reimbursing the other party their cost. Referral Order for Outsourced Evaluation SIGNED AND FILED IN OPEN COURT and a copy was provided to both counsel. 6. Counsel shall submit as a supplement any POINTS AND AUTHORITIES it would like the Court to consider regarding the expert examining the audio tape by Monday, March 23, 2015. 7. Case and Trial Management Order SIGNED AND FILED IN OPEN COURT and a copy was provided to both counsel. 8. Status Check SET for April 2, 2015 at 11:00 A.M. Judges decision re: audio tapes. 9. Evidentiary Hearing SET for August 14, 2015 at 9:00 A.M. ;

03/24/2015



**Minute Order (1:15 PM)** (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

Upon review, the Court determines that Dr. Holland, or any other expert retained in this matter, may review the January 2015 audio recording and/or a transcript of the audio recording before conducting interviews in this matter. Dr. Holland may also review other relevant pleadings filed in this matter. The Court will make a determination as to the admissibility of the audio recording and/or transcript of the audio recording, in the event either party moves for its admission. Accordingly, the STATUS CHECK scheduled for 4/2/2015 at 11:00 a.m. is VACATED. A copy of this minute order shall be provided to both parties. ;

04/02/2015

**CANCELED Status Check (11:00 AM)** (Judicial Officer: Marquis, Linda)

Vacated - per Judge

Decision - Audio Tape

06/25/2015

**CANCELED Motion (9:00 AM)** (Judicial Officer: Marquis, Linda)

Vacated - per Stipulation and Order

Plaintiff's Emergency Motion Regarding Summer Visitation

06/25/2015

**Motion (11:00 AM)** (Judicial Officer: Marquis, Linda)

Events: 06/10/2015 Motion

Plaintiff's Emergency Motion Regarding Summer Visitation

## MINUTES



**Motion**

Filed by: Petitioner Abid, Sean R

Plaintiff's Emergency Motion Regarding Summer Visitation Schedule

Granted in Part;

06/25/2015

**Opposition & Countermotion (11:00 AM)** (Judicial Officer: Marquis, Linda)

06/25/2015, 07/16/2015

Events: 06/23/2015 Opposition and Countermotion

DOpposition to Plaintiff's Emergency Motion Regarding Summer Visitation Schedule and Countermotion to Strike Plaintiff's Pleadings, to Suppress the Alleged Contents of the Unlawfully Obtained Recording, to Strike the Letter From Dr. Holland and for Sanctions and Attorney Fees

## MINUTES



**Opposition and Countermotion**

Filed by: Petitioner Abid, Lyudmyla A

Opposition to Plaintiff's Emergency Motion Regarding Summer Visitation Schedule and Countermotion to Strike Plaintiff's Pleadings, to Suppress the Alleged Contents of the Unlawfully Obtained Recording, to Strike the Letter From Dr. Holland and for Sanctions and Attorney Fees

Matter Continued;

Matter Heard;

## MINUTES



**Opposition and Countermotion**

Filed by: Petitioner Abid, Lyudmyla A

Opposition to Plaintiff's Emergency Motion Regarding Summer Visitation Schedule and Countermotion to Strike Plaintiff's Pleadings, to Suppress the Alleged Contents of the Unlawfully Obtained Recording, to Strike the Letter From Dr. Holland and for Sanctions and Attorney Fees

Matter Continued;

Matter Heard;

06/25/2015



**All Pending Motions (11:00 AM)** (Judicial Officer: Marquis, Linda)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S EMERGENCY MOTION REGARDING SUMMER VISITATION The Court noted the parties

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shared joint legal custody and joint physical custody, there was a visitation order in place, and an Evidentiary Hearing was scheduled for 8/14/15. The Court said it had received a letter from Dr. Holland, including parts of the interview she had conducted. The Court said it had received Dr. Holland's full report this morning, and had not had an opportunity to review the report, which had been released to counsel. The Court met with counsel OFF THE RECORD. The Court said it had had an opportunity to review Dr. Holland's report, and discuss it with counsel, off the record. The Court reminded the parties the 8/14/15 Evidentiary Hearing would start at 10:30 a.m. The Court said opposing counsel had a Motion to Suppress pending and Plaintiff's counsel wanted an opportunity to Oppose that Motion, and, therefore, a date would be set for argument on that issue prior to trial. Argument by Mr. Jones. Mr. Jones asked for Plaintiff to have six (6) weeks with the minor child this summer, and for Defendant to have four (4) weeks this year, in order to protect the child. Mr. Jones said Dr. Holland would be testifying at the trial. Mr. Balabon said Defendant had completed the Cooperative Parenting Classes at UNLV. Mr. Balabon objected to Dr. Holland's report, and objected to the tape, which he believed had prejudiced the evaluator. The Court said it was concerned about the child moving into first grade. Response by Mr. Jones. The Court read a portion of Dr. Holland's report into the record, which discussed the minor child playing violent video games. Mr. Jones said only the portion of the recordings containing Sasha were retained, the rest of the tape had been erased. Mr. Jones said the custodial order gave Plaintiff the choice of which school the minor child would attend. COURT ORDERED, the following: 1. The minor child, Sasha, shall no longer be allowed to play "Call of Duty" or "Five Nights at Freddy's", and he is not allowed to play X-Box Live. In addition, he is not allowed to play any game that is rated above what is appropriate for kindergartners or first graders at either home. The Court is concerned about the child's violent behavior, and he must be monitored to make sure he is not allowed to have access to these violent games going forward. 2. The Motion to Suppress will be argued on July 16, 2015 at 9:30 a.m., and Defendant's Countermotion will be deferred to that date. 3. Dr. Holland and Plaintiff's counsel had requested the Court make a change to the summer schedule; therefore, since Defendant has had three (3) of her six (6) weeks of summer vacation with the minor child, and Dad is entitled to four (4) weeks under the visitation schedule, this year the summer schedule shall be reversed, and Defendant will be allowed to finish one more week with the minor child, and she will then return the child to Plaintiff two (2) weeks early. The child shall be returned to Plaintiff on July 4, 2015 at 9:00 a.m., which will reverse the current visitation order. If at the Evidentiary Hearing a decision is made that does not change custody or visitation, the summer schedule will be switched next year so that Defendant gets six (6) weeks and Plaintiff gets four (4) weeks. 4. TEMPORARILY until trial, the parties will have Skype or Facetime contact with the minor child on Mondays, Wednesdays, and Fridays. 5. The school issue is not on calendar this date; however, counsel will discuss the matter and exchange calendars, and the matter can be argued at the 7/16/15 hearing. 6. Counsel may retain Dr. Holland's report; however, the report must remain in their possession. 7. Moving forward counsel will not quote directly from Dr. Holland's report or Dr. Paglini's report in their pleadings. 8. If the original recording is available, it shall be produced. 7/16/15 9:30 A.M. ARGUMENT RE: MOTION TO SUPPRESS ;

07/14/2015

CANCELED Motion (9:00 AM) (Judicial Officer: Marquis, Linda)

Vacated - per OST

Sean R. Abid's Emergency Motion Regarding Summer Visitation Schedule

07/16/2015



All Pending Motions (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard;


Journal Entry Details:

DEFENDANT'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION REGARDING SUMMER VISITATION SCHEDULE AND COUNTERMOTION TO STRIKE PLAINTIFF'S PLEADINGS, TO SUPPRESS THE ALLEGED CONTENTS OF THE UNLAWFULLY OBTAINED RECORDING, TO STRIKE THE LETTER FROM DR. HOLLAND AND FOR SANCTIONS AND ATTORNEY FEES...HEARING: ARGUMENT OF COUNSEL RE: ADMISSIBILITY OF DR. HOLLAND'S REPORT Mr. Balabon asked whether Plaintiff intended to introduce the tape into evidence in these proceedings, and if so, was he going to attempt to produce the flash drive which contained an edited version of the tape, or was he going to produce the original. The Court said its understanding of the facts was that Plaintiff had placed a recording device in the minor child's backpack, and the minor child had gone for his regularly scheduled visitation to Defendant's residence. During the course of the visitation the recording device remained in the child's backpack and recorded for approximately three (3) days, picking up sounds or conversations between numerous people who were in the home, including the child. When the child returned to Plaintiff's residence he took the recording, which was not made at the suggestion, consent, or upon the advice of Mr. Jones, it only came to the attention of Mr. Jones after the recording had taken place, and at some point Plaintiff erased or destroyed portions of the tape or the recording, which did not include the child, so if the child was engaged in a conversation, the conversation was kept, if the child was not included in a conversation the conversation was erased or destroyed. The destruction of the recording was not upon the advice, suggestion, or consent of Mr. Jones, who was only made aware of the destruction after it had taken place. The portion of the recording which was provided to Defendant is the entirety of what remains. Mr. Jones agreed these were the facts. Mr. Balabon said he agreed all of the portions remaining were produced. Mr. Jones said he had not decided whether or not to admit the tape into evidence. The Court said it was going to treat Defendant's Motion and Mr. Balabon's argument as a Motion in Limine. The Court believed Mr. Balabon was asking the Court not to admit the recording at trial, and to strike any reference to the recording, or any quote from the recording from all of the pleadings ever filed in this case, and strike the portions of the recording from Dr. Holland's Report, and to not allow Dr. Holland to testify at the time of trial because she was tainted by the

**CASE SUMMARY****CASE NO. D-10-424830-Z**


recording. Mr. Balabon said he was requesting a ruling from the Court as to the legality of the tape, and as to whether or not the Court was applying the Implied Consent Doctrine to the Statute, and a ruling as to whether or not Plaintiff had satisfied his burden for admissibility, if the Court did adopt the Doctrine. Argument by Mr. Balabon. Response by Mr. Jones. Argument by Mr. Balabon. As to the facts the Court is FINDING this date in considering the Motion in Limine, at a certain point in time Plaintiff contacted Defendant regarding the minor child's exposure to violent video games, after which time Plaintiff concedes he placed a recording device in the minor child's backpack resulting in conversations being recorded while the minor child was with the Defendant. Defendant believes there were three (3) consecutive days of recording. Plaintiff maintains he deleted portions of the audio recording. Plaintiff filed a Motion for a Change of Custody and relied in part on those recorded conversations. The Court reiterated Mr. Jones was in no way a participant in the recording, did not advise Plaintiff to make those recordings, and did not know about the recordings until after the fact, and did not know portions of the recordings had been deleted until after the fact. The Court previously ordered a child interview through Dr. Holland, and Dr. Holland reviewed numerous documents in preparation for her interview, including a transcript of a portion of the audio recordings, and portions of the actual audio recordings. Plaintiff turned over a digital recording of all of the remaining portions of the recording. Defendant moved today to strike portions of the pleadings that discuss or incorporate the recordings, strike Dr. Holland's report, strike Dr. Holland from the witness list, not allow her to testify, and deny admission of the audio recording at any time during the Evidentiary Hearing in this matter. The Court FINDS this is a recording by a recording device as defined in NRS 200.650, and as such it is a one party consent, which does not fall under the wire communication definition. While Plaintiff has not yet sought to introduce the audio recording or any portion of the audio recording into evidence, the Court is inclined to adopt the Vicarious Doctrine; therefore, Mr. Jones needs to prove much more than he is able to via a Motion in Limine. Dr. Holland's report does not deal with the recording, the vast majority, and her biggest area of concern, and the Court's biggest area of concern in this case continues to be, and originated with, the child's exposure and preoccupation with violent video games. The Court will strike portions of Dr. Holland's report which deal with the audio recording; however, the Court FURTHER FINDS Dr. Holland has not been tainted so badly from exposure to that recording that she is unable to testify at the trial, since the vast majority of her report deals with issues wholly separate to the recording, and should the parties stipulate to the introduction of her report in lieu of her live testimony, the Court will strike the portions of the report dealing with the audio recording; however, should the parties not stipulate to the introduction of her report, the Court will allow Dr. Holland to testify, and the Court will allow the Defendant to ask Dr. Holland questions as to her reliance upon the audio recording as part of her ultimate expert opinion, if the Defendant wants to. Plaintiff will not be allowed to question Dr. Holland regarding the audio recording, unless Defendant opens the door. COURT ORDERED, the following: 1. With regard to the school issue, the matter will be dealt with at trial, once the custody issue has been resolved. 2. The defense may retain their own expert, who does not need to rely on the audio recording. However, if the defense does not have the money to employ an expert with Dr. Holland's credentials, a forty-five (45) minute routine interview can be conducted at the Family Mediation Center, PROVIDED the Family Mediation Center has the ability to record the interview, so it can be reviewed. The Court FINDS NRS 50.285 applies and experts can rely upon inadmissible information to make their determination. The Court further explained its ruling in this matter with regard to the admissibility of the audio recording at trial. 8/14/15 10:30 A.M. RETURN: FMC CHILD INTERVIEW CLERK'S NOTE: After the hearing, the FMC referral was placed in the attorney bins of Mr. Jones and Mr. Balabon. KB 7/17/15 ;

07/16/2015

 **Hearing (9:30 AM)** (Judicial Officer: Marquis, Linda)

ARGUMENT OF COUNSEL RE: ADMISSIBILITY OF DR. HOLLAND'S REPORT  
Matter Heard;

08/10/2015

 **Motion to Continue (8:45 AM)** (Judicial Officer: Marquis, Linda)

Evidentiary Hearing  
Granted;  
Journal Entry Details:

DEFENDANT'S MOTION TO CONTINUE TRIAL Court called the case and upon Court's inquiry, Mr. Radford stated he is substituting in as counsel for Defendant. Matter recessed for Court to conduct a conference with counsel off the record Matter recalled with all present as before. Court noted, it spoke with counsel off the record regarding granting Defendant's Motion to Continue the Evidentiary Hearing. Court further noted, it is inclined to grant the request based on the appearance of new counsel. Argument by counsel regarding Defendant's request to retain Dr. Mark Chambers as an expert to re-interview the child, the audio tapes that have been at issue in these proceedings, and counseling for the child. Counsel STIPULATED to allow the child's teacher to testify at Trial. Counsel further STIPULATED to allow the child to participate in Judo provided it doesn't interfere with the child's baseball activities. Further, the child won't participate in activities past 8:30 PM on any day prior to a school day. Counsel further STIPULATED that the parties will retain either Nick Ponzo or Jamil Ali to provide counseling for the minor child, and that the counselor will receive a copy of Dr. Holland's Report, Dr. Paglini's Report, and copies of relevant pleadings. COURT ORDERED, Defendant's Motion to Continue the Evidentiary is GRANTED. The Evidentiary Hearing currently set for 8/14/15 at 10:00 AM shall be VACATED, with a two-day Evidentiary Hearing SET for 10/5/15 at 9:00 AM (full day) and 10/12/15 at 9:00 AM (full day). Court will prepare the Case Management Order to be placed in the attorney bins of respective counsel. Defendant's request to retain Dr. Chambers as an expert and re-interview the child is GRANTED. Dr. Chambers shall have discretion


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on whether to videotape the interview. Plaintiff shall be given the opportunity to retain his own expert to re-interview the child, who shall also have discretion on whether to videotape the interview. If Dr. Holland and Dr. Chambers speak and believe it's appropriate, Dr. Holland can be present at the child interview. The Court clarifies its prior Order in that, not only shall the minor child not be allowed to play any video game not rated appropriate for his age, he shall further not be allowed to watch any other person play "mature" rated games, nor shall he have any exposure whatsoever by any and all means to "mature" rated games. 10/5/15 9:00 AM Evidentiary Hearing (full day) 10/12/15 9:00 AM Evidentiary Hearing (full day) ;

08/14/2015 **CANCELED Return Hearing (10:30 AM)** (Judicial Officer: Marquis, Linda)  
Vacated - per Judge  
FMC: CHILD INTERVIEW (Only to be conducted if interview could be recorded by FMC)

09/03/2015 **CANCELED Motion (9:00 AM)** (Judicial Officer: Marquis, Linda)  
Vacated - per OST  
Defendant's Motion to Continue Evidentiary Hearing

09/09/2015  **Motion (10:00 AM)** (Judicial Officer: Marquis, Linda)  
Def't's Motion to Extend Deadline to Produce Dr. Chambers' Child Interview Report, or Alternately, Continuing the Evidentiary Hearing

## MINUTES

Granted;


Journal Entry Details:


DEFENDANT'S MOTION TO EXTEND DEADLINE TO PRODUCE DR. CHAMBER'S CHILD INTERVIEW REPORT, OR ALTERNATELY, CONTINUE THE EVIDENTIARY HEARING John Jones, Esq., #6699, appeared telephonically on behalf of Plaintiff. Argument by counsel regarding Defendant's motion. COURT ORDERED: 1. Defendant's Motion shall be GRANTED. 2. Counsel shall submit a STIPULATION AND ORDER vacating the 10/05/2015 and 10/12/2015 Evidentiary Hearing dates. ;


10/05/2015 **CANCELED Evidentiary Hearing (9:00 AM)** (Judicial Officer: Marquis, Linda)  
Vacated - per Stipulation and Order  
Day 1

10/06/2015 **CANCELED Motion (10:00 AM)** (Judicial Officer: Marquis, Linda)  
Vacated - per OST  
Def's Motion to Extd the Deadline to Prod Dr. Chambers' Child Interv Rpt, or Altern, Cont the Evid Hrg to the Next Avail Date (2nd Req)

10/12/2015 **CANCELED Evidentiary Hearing (9:00 AM)** (Judicial Officer: Marquis, Linda)  
Vacated - per Stipulation and Order  
Day 2

11/17/2015  **Evidentiary Hearing (1:30 PM)** (Judicial Officer: Marquis, Linda)  
Matter Continued;  
Journal Entry Details:  
EVIDENTIARY HEARING Counsel waived opening statements. Witnesses and Exhibits per worksheets. COURT ORDERED; matter CONTINUED. Future dates STAND. ;

11/18/2015  **Evidentiary Hearing (1:30 PM)** (Judicial Officer: Marquis, Linda)  
Matter Continued;  
Journal Entry Details:  
EVIDENTIARY HEARING Hearings continued. Witnesses and Exhibits per worksheets. COURT STATED FINDINGS. Court noted there was an incident in the hallway between Plaintiff and Defendant during the recess. COURT ORDERED: The recordings of the child shall NOT be permitted in this portion of testimony, however, the Court is inclined to allow it during later testimony. The Court is inclined to consider it a recorded recollection and counsel shall ask the appropriate questions and the recording shall be allowed. Attorney Jones shall submit a copy of the recording to counsel's office. Matter CONTINUED. Future date STANDS.;

11/19/2015  **Evidentiary Hearing (1:30 PM)** (Judicial Officer: Marquis, Linda)  
Non Jury Trial;  
Journal Entry Details:  
EVIDENTIARY HEARING Upon the matter being called the court noted the continuance and the redirect . Petitioner/Dad sworn and testified. Examination by Attorney Jones. Matter recessed. Upon the matter being recalled The court noted, on 11-18-2015 it was stated supplemental briefs could be submitted as to the Evidentiary issues presented, relative to the tapes and it admission. The court further noted it will consider the briefs in its decision. Mr. Jones advised the court as to issues that occurred outside Courtroom 7, on 11-18-2015. THE COURT ORDERED, 1. SUPPLEMENTAL BRIEFS shall be due by 12-3-2015 at noon. 2. Non-Jury Trial SET for 1-11-2016 AT 9:00 am. (half-day). 3. Non-Jury Trial SET for 1-12-2016 at 9:00 am. 4. A Written



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DECISION shall be rendered by the court. 5. The Court Recommended Counsel file Motion's as to the incident that occurred on 11-18-2015 outside Courtroom 7.;

01/11/2016

## Non-Jury Trial (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard; Minutes in the Non-Jury Trial

Journal Entry Details:

NON-JURY TRIAL...MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF SURREPTITIOUSLY OBTAINED OUTSIDE COURTROOM ON November 18, 2015, SANCTIONS AND ATTORNEY'S FEES...OPPOSITION OF PLAINTIFF, SEAN R. ABID, TO DEFENDANT'S MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF SURREPTITIOUSLY OBTAINED OUTSIDE COURTROOM ON November 18, 2015, SANCTIONS AND ATTORNEY 'S FEES AND COUNTERMOTION FOR ATTORNEY'S FEES AND COSTS Upon the matter being called the court noted the Petitioner/Mom's Motion in Limine and Petitioner/Dad's Opposition and Countermotion. Opening remarks by Attorney Smith as to Mom's Motion in Limine and as to issues that occurred outside Courtroom 7, on November 18, 2015. Rebuttal statements by Attorney Jones as to Dad's Opposition and the incident which occurred outside Courtroom 7, on November 18, 2015. The court noted concerns as to incident which occurred outside the courtroom on November 18, 2015. Witnesses sworn and testified (see attached worksheet). Testimony and Cross Examination continued. Under Rule 41, Attorney Smith requested a Dismissal as to Hearing issues related to Primary Custody. Counsel stated there were no adequate grounds for such issue to be addressed. Mr. Jones stated concerns as to Rule 52(c) requiring the non-moving party to have their case fully read as Mr. Jones indicated he hadn't rested his case. Discussion as to Dr. Holland's Report by Counsel and the continuance of the trial. THE COURT ORDERED, 1. By Stipulation Counsel AGREED their CASE IN CHIEF shall be presented on (day 3) of the Non-Jury Trial SET for 1-26-2016 at 9:00 am. ;

01/11/2016

## Motion in Limine (9:00 AM) (Judicial Officer: Marquis, Linda)

Events: 12/29/2015 Motion

Motion in Limine to Exclude Recording Plaintiff Surreptitiously Obtained Outside Courtroom on November 18, 2015, Sanctions and Attorney's Fees

### MINUTES



Motion

Filed by: Petitioner Abid, Lyudmyla A

Motion in Limine to Exclude Recording Plaintiff Surreptitiously Obtained Outside Courtroom on November 18, 2015, Sanctions and Attorney's Fees

Matter Heard; Minutes in the non-jury trial

Journal Entry Details:

MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF SURREPTITIOUSLY OBTAINED OUTSIDE COURTROOM ON November 18, 2015, SANCTIONS AND ATTORNEY'S FEE. Minutes for Motion in Limine minutes in the Non- Jury Trial;

01/11/2016

## Opposition & Countermotion (9:00 AM) (Judicial Officer: Marquis, Linda)

Events: 01/06/2016 Opposition and Countermotion

Opposition of Plaintiff, Sean R. Abid, to Defendant's Motion in Limine to Exclude Recording Plaintiff Surreptitiously Obtained Outside Courtroom on November 18, 2016, Sanctions and Attorney's Fees and Countermotion For Attorneys' Fees and Costs

### MINUTES



Opposition and Countermotion

Filed by: Petitioner Abid, Sean R

Opposition of Plaintiff, Sean R. Abid, to Defendant's Motion in Limine to Exclude Recording Plaintiff Surreptitiously Obtained Outside Courtroom on November 18, 2016, Sanctions and Attorney's Fees and Countermotion For Attorneys' Fees and Costs

Matter Heard; Minutes in the non-jury trial

01/12/2016

## CANCELED Non-Jury Trial (9:00 AM) (Judicial Officer: Marquis, Linda)

Vacated - per Judge

Half Day Trial

01/25/2016

## Non-Jury Trial (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard;

Journal Entry Details:

Argument and discussion regarding Dr. Holland's testimony and report. Matter trailed to allow the Court to obtain its copy of Dr. Holland's letter dated 6/5/15 and report dated 6/22/15. Matter recalled with all present as before. Mr. Smith moved to exclude Dr. Holland's report. COURT ORDERED, Mr. Smith's oral motion to exclude Dr. Holland's report is DENIED. Testimony and exhibits continued (see worksheet). Mr. Smith moved the Court for a directed denial of Plaintiff's motion to change custody. COURT FURTHER ORDERED, Mr.

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*Smith's request is DENIED. Further testimony and exhibits presented (see worksheet). Closing arguments by counsel. COURT FURTHER ORDERED, matter taken UNDER ADVISEMENT. Court will issue a written decision.;*

07/14/2016

**Motion (9:30 AM)** (Judicial Officer: Marquis, Linda)

Events: 05/23/2016 Motion

*Sean Abid Motion to Reapportion Dr. Holland's Fees*

Minute Order - No Hearing Held;

07/14/2016

**Opposition & Countermotion (9:30 AM)** (Judicial Officer: Marquis, Linda)

Events: 06/09/2016 Opposition

*Deft's Opposition & Countermotion For Stay; Sanctions and Attorney Fees*

Minute Order - No Hearing Held;

07/14/2016



**Minute Order (2:00 PM)** (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

*MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: D-10-424830-Z NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Dad's Motion to Reapportion Dr. Holland's fees is GRANTED. The Court previously indicated that the parties could request reapportionment of Dr. Holland's fees, if one party overwhelmingly prevailed at the Evidentiary Hearing. Mom's Countermotion for Stay is DENIED. NRAP 8 governs stays pending appeal and requires, generally, a stay be first sought in the District Court. Stays in civil cases involving child custody are governed by NRAP 8 (d): In deciding whether to issue a stay in matters involving child custody, the Supreme Court or Court of Appeals will consider the following factors: (1) whether the child(ren) will suffer hardship or harm if the stay is either granted or denied; (2) whether the nonmoving party will suffer hardship or harm if the stay is granted; (3) whether movant is likely to prevail on the merits in the appeal; and (4) whether a determination of other existing equitable considerations, if any, is warranted. Here, the child would suffer hardship and/or harm if the stay is granted. As the Court previously found, Mom's behavior is detrimental to the minor child. Further, Dad's relationship with the minor child would suffer harm, if the stay is granted. Mom is unlikely to prevail on the merits of this appeal, as discussed below. This custody order has been in place for months, yet another change in custody is not equitable. The trial court has wide discretion concerning matters of child custody. A reviewing court will not disturb the trial court's finding absent a clear abuse of discretion. See Sims v. Sims, 109 Nev. 1146 (1993). Mom does not allege the District Court applied the wrong law or standard. Instead, Mom argues that the trial court allowed an expert witness to review evidence that the court ultimately found inadmissible. The expert's testimony was not based solely upon this evidence. The expert's testimony was based upon many other things, including interviews with the child. Mom's Countermotion for Sanctions and Attorney's Fees is DENIED. The Court reminds the parties that there is no Order preventing both parents from attending medical and dental appointments for the minor child. The Court encourages the parties to co-parent regarding the child's medical and dental needs. There is no Order from this Court that would prevent a third party designee from picking up and/or dropping off the minor child. Counsel for Plaintiff SHALL prepare the Order. Notice of this minute order was provided to the Parties via telephone. ;*

  
CLERK OF THE COURT

**ORDR**  
**BLACK & LOBELLO**  
John D. Jones, Esq.  
Nevada State Bar No. 6699  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
Telephone No.: 702-869-8801  
Facsimile No.: 702-869-2669  
Email Address: [jjones@blacklobello.law](mailto:jjones@blacklobello.law)  
Attorneys for Plaintiff,  
SEAN R. ABID

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

SEAN R. ABID,

Plaintiff,

vs.

LYUDMYLA A. ABID

Defendant.

CASE NO.: D424830

DEPT. NO.: N

**ORDER RE: THE COURT'S MINUTE ORDER OF JULY 14, 2016**

The Court, having reviewed Plaintiff's Motion to Reapportion Dr. Holland's Fees and Defendant's Opposition, the Court has issued the following Order:

THE COURT FINDS AND ORDERS that NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Dad's Motion to Reapportion Dr. Holland's fees is GRANTED. The Court previously indicated that the parties could request reapportionment of Dr. Holland's fees, if one party overwhelmingly prevailed at the Evidentiary Hearing.

THE COURT FURTHER FINDS AND ORDERS Mom's Countermotion for Stay is DENIED. Nevada Rule of Appellate Procedure 8 governs stays pending appeal and requires, generally, a stay be first sought in the District Court. Stays in civil cases involving child custody are governed by NRAP 8 (d):

///

**RECEIVED**  
**JUL 26 2016**  
**DEPT. B**

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

☐ Disposed After Trial Start  
☐ Trial Dispositions:  
☐ Judgment Reached by Trial  
☐ Other:  
☐ Denied - Want of Prosecution  
☐ Involuntary (Statutory) Dismissal  
☐ Default Judgment  
☐ Transferred  
☐ Settled/Withdrawn  
☐ Without Judicial Conf/Hrg  
☐ With Judicial Conf/Hrg  
☐ By ADR

1 In deciding whether to issue a stay in matters involving child custody, the  
2 Supreme Court or Court of Appeals will consider the following factors: (1)  
3 whether the child(ren) will suffer hardship or harm if the stay is either granted or  
4 denied; (2) whether the nonmoving party will suffer hardship or harm if the stay is  
5 granted; (3) whether movant is likely to prevail on the merits in the appeal; and  
6 (4) whether a determination of other existing equitable considerations, if any, is  
7 warranted.

8 Here, the child would suffer hardship and/or harm if the stay is granted. As the Court previously  
9 found, Mom's behavior is detrimental to the minor child. Further, Dad's relationship with the  
10 minor child would suffer harm, if the stay is granted. Mom is unlikely to prevail on the merits of  
11 this appeal, as discussed below. This custody order has been in place for months, yet another  
12 change in custody is not equitable.

13 THE COURT FURTHER FINDS AND ORDERS that the trial court has wide discretion  
14 concerning matters of child custody. A reviewing court will not disturb the trial court's finding  
15 absent a clear abuse of discretion. *See Sims v. Sims*, 109 Nev. 1146 (1993). Mom does not allege  
16 the District Court applied the wrong law or standard. Instead, Mom argues that the trial court  
17 allowed an expert witness to review evidence that the court ultimately found inadmissible. The  
18 expert's testimony was not based solely upon this evidence. The expert's testimony was based  
19 upon many other things, including interviews with the child. Mom's Counter-motion for Stay,  
20 Sanctions and Attorney's Fees is DENIED.

21 The Court reminds the parties that there is no Order preventing both parents from  
22 attending medical and dental appointments for the minor child. The Court encourages the parties  
23 to co-parent regarding the child's medical and dental needs. There is no Order from this Court  
24 that would prevent a third party designee from picking up and/or dropping off the minor child.

25 IT IS HEREBY ORDERED that Plaintiff, Sean Abid, is hereby awarded \$4,347.25 for  
26 the costs he paid to Dr. Holland.

27 This amount is reduced to judgment in favor of Plaintiff and against Defendant,  
28 Lyudmyla Abid, and collectible by any legal means.

///

///

1 Counsel for Plaintiff SHALL prepare the Order.

2 Notice of this minute order was provided to the Parties via telephone.

3 **IT IS SO ORDERED** this 27<sup>th</sup> day of July, 2016.

4  
5   
6 DISTRICT COURT JUDGE *mm?*

7 Respectfully submitted by:

8 BLACK & LOBELLO

9  
10   
11 JOHN D. JONES, ESQ.

12 Nevada Bar No. 6699

13 10777 West Twain Ave., Suite 300

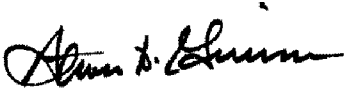
14 Las Vegas, NV 89135

15 702-869-8801

16 Attorney for Plaintiff,

17 SEAN R. ABID  
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BLACK & LOBELLO  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

  
CLERK OF THE COURT

1 **NEOJ**  
2 **BLACK & LOBELLO**  
3 John D. Jones  
4 Nevada State Bar No. 6699  
5 10777 West Twain Avenue, Suite 300  
6 Las Vegas, Nevada 89135  
7 702-869-8801  
8 Fax: 702-869-2669  
9 Email: [jjones@blacklobello.law](mailto:jjones@blacklobello.law)  
10 Attorneys for Plaintiff,  
11 SEAN R. ABID

12 **DISTRICT COURT**  
13 **FAMILY DIVISION**  
14 **CLARK COUNTY, NEVADA**

15 SEAN R. ABID,

CASE NO.: D424830

16 Plaintiff,

DEPT. NO.: B

17 vs.

18 LYUDMYLA A. ABID

19 Defendant.

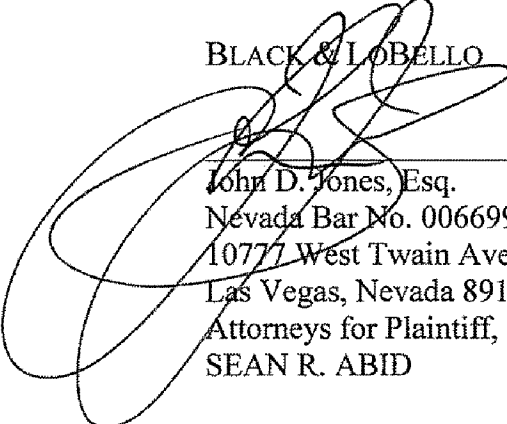
20 **NOTICE OF ENTRY OF ORDER RE: THE COURT'S MINUTE ORDER**  
21 **OF JULY 14, 2016**

22 PLEASE TAKE NOTICE that an Order re: The Court's Minute Order of July 14, 2016  
23 was entered in the above entitled matter on the 27<sup>th</sup> day of July, 2016, a copy of which is  
24 attached hereto.

25 DATED this 29 day of July, 2016.

26 Respectfully submitted:

27 **BLACK & LOBELLO**

28   
John D. Jones, Esq.  
Nevada Bar No. 006699  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
Attorneys for Plaintiff,  
SEAN R. ABID

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 29<sup>th</sup> day of July, 2016 I served a true and correct copy of the NOTICE OF ENTRY OF AN ORDER RE: THE COURT'S MINUTE ORDER OF JULY 14, 2016, upon each of the parties by depositing a copy of the same in a sealed envelope in the United States Mail, Postage Pre-Paid, addressed as follows:

Lyudmyla Abid  
2167 Montana Pine Drive  
Henderson, NV 89052  
*Defendant in Proper Person*

  
an Employee of BLACK & LOBELLO

  
CLERK OF THE COURT

**ORDR**  
**BLACK & LOBELLO**  
John D. Jones, Esq.  
Nevada State Bar No. 6699  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
Telephone No.: 702-869-8801  
Facsimile No.: 702-869-2669  
Email Address: [jjones@blacklobello.law](mailto:jjones@blacklobello.law)  
Attorneys for Plaintiff,  
SEAN R. ABID

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

SEAN R. ABID,

Plaintiff,

vs.

LYUDMYLA A. ABID

Defendant.

CASE NO.: D424830

DEPT. NO.: N

**ORDER RE: THE COURT'S MINUTE ORDER OF JULY 14, 2016**

The Court, having reviewed Plaintiff's Motion to Reapportion Dr. Holland's Fees and Defendant's Opposition, the Court has issued the following Order:

THE COURT FINDS AND ORDERS that NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Dad's Motion to Reapportion Dr. Holland's fees is GRANTED. The Court previously indicated that the parties could request reapportionment of Dr. Holland's fees, if one party overwhelmingly prevailed at the Evidentiary Hearing.

THE COURT FURTHER FINDS AND ORDERS Mom's Countermotion for Stay is DENIED. Nevada Rule of Appellate Procedure 8 governs stays pending appeal and requires, generally, a stay be first sought in the District Court. Stays in civil cases involving child custody are governed by NRAP 8 (d):

///

**RECEIVED**

**JUL 26 2016**

**DEPT. B**

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

☐ Disposed After Trial Start  
☐ Trial Dispositions:  
☐ Judgment Reached by Trial  
☐ Other  
☐ Dismissed - Want of Prosecution  
☐ Involuntary (Statutory) Dismissal  
☐ Default Judgment  
☐ Transferred  
☐ Settled/Withdrawn  
☐ Without Judicial Conf/Htg  
☐ With Judicial Conf/Htg  
☐ By ADR



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17 allowed an expert witness to review evidence that the court ultimately found inadmissible. The  
18 expert's testimony was not based solely upon this evidence. The expert's testimony was based  
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20 Sanctions and Attorney's Fees is DENIED.

21 The Court reminds the parties that there is no Order preventing both parents from  
22 attending medical and dental appointments for the minor child. The Court encourages the parties  
23 to co-parent regarding the child's medical and dental needs. There is no Order from this Court  
24 that would prevent a third party designee from picking up and/or dropping off the minor child.

25 IT IS HEREBY ORDERED that Plaintiff, Sean Abid, is hereby awarded \$4,347.25 for  
26 the costs he paid to Dr. Holland.

27 This amount is reduced to judgment in favor of Plaintiff and against Defendant,  
28 Lyudmyla Abid, and collectible by any legal means.

///

///

**BLACK & LOBELLO**  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669

1 Counsel for Plaintiff SHALL prepare the Order.

2 Notice of this minute order was provided to the Parties via telephone.

3 **IT IS SO ORDERED** this 27<sup>th</sup> day of July, 2016.

4  
5   
6 DISTRICT COURT JUDGE, *mm*

7 Respectfully submitted by:

8 BLACK & LOBELLO

9  
10   
11 JOHN D. JONES, ESQ.

12 Nevada Bar No. 6699

13 10777 West Twain Ave., Suite 300

14 Las Vegas, NV 89135

15 702-869-8801

16 Attorney for Plaintiff,

17 SEAN R. ABID  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**October 23, 2012**

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D-10-424830-Z	In the Matter of the Joint Petition for Divorce of: Sean R	Abid and Lyudmyla A Abid, Petitioners.
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**October 23, 2012      11:00 AM      Motion to Modify  
Custody**

**HEARD BY:** Giuliani, Cynthia N.

**COURTROOM:** Courtroom 06

**COURT CLERK:** Carol Critchett

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, not present

Sean Abid, Petitioner, not present

Pro Se

John Jones, Attorney, not present

<b>JOURNAL ENTRIES</b>
------------------------

- DEFT'S MOTION TO MODIFY PHYSICAL CUSTODY; FOR AN ORDER TO SHOW CAUSE TO FIND THE PLTF IN CONTEMPT OF COURT; FOR SANCTIONS AGAINST THE PLAINTIFFS AND TO REDUCE ARREARS TO JUDGMENT TOGETHER WITH INTEREST AND PENALTY THEREON AND FOR WAGE WITHHOLDING; FOR THE DEPENDENT TAX DEDUCTION; FOR DEFT'S ATTORNEY'S FEES AND COSTS INCURRED HEREIN; AND RELATED RELIEF

Court called the case.

Court stated prior to the hearing it had received a Stipulation And Order, containing the parties' agreements and resolving the issues, that would be signed by the Court.

**COURT ORDERED:**

Matter OFF CALENDAR.

PRINT DATE:	08/12/2016	Page 1 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	08/12/2016	Page 2 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**July 03, 2013**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**July 03, 2013**

**11:00 AM**

**All Pending Motions**

**HEARD BY:** Harter, Mathew

**COURTROOM:** Courtroom 24

**COURT CLERK:** Carol Critchett

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
------------------------

- SEAN R. ABID'S MOTION TO CHANGE CUSTODY FOR THE PURPOSES OF RELOCATION OR, IN THE ALTERNATIVE, TO CHANGE CUSTODY...LYUDMYLA A. ABID'S OPPOSITION AND COUNTERMOTION FOR REFERRAL TO FAMILY MEDIATION CENTER (FMC) TO FORMULATE A MORE DETAILED PARENTING AGREEMENT FOR HOLIDAYS AND FOR ATTY FEES

Court called the case then discussed the issues.

Argument and discussion regarding the motion and countermotion issues, for an outsourced evaluation and Defendant's vacation plans in Mexico and counsel's request for an Order to allow Mr. Abid to be the care provider for the child during Ms. Abid's time in Mexico.

Further argument and discussion.

**COURT ORDERED:**

The parties are referred for an OUTSOURCED EVALUATION regarding the CUSTODY and RELOCATION issues. The parties are REFERRED to DR. JOHN PAGLINI. If Dr. Paglini is unable to conduct the evaluations they shall be done by NICOLAS PONZO.

PRINT DATE:	08/12/2016	Page 3 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

MR. ABID shall be RESPONSIBLE for PAYMENT for the EVALUATIONS, subject to REIMBURSEMENT from Defendant.

A RETURN HEARING regarding the OUTSOURCED EVALUATIONS is calendared for OCTOBER 08, 2013 at 1:30 P.M.

An EVIDENTIARY HEARING regarding the RELOCATION and CUSTODY issues shall be calendared after the EVALUATIONS.

A CALENDAR CALL shall also be heard on OCTOBER 08, 2013 at 1:30 P.M.

DISCOVERY is OPEN.

The parties and counsel shall FOLLOW the 16.2 DISCLOSURE RULE for the WITNESSES and DOCUMENTS.

All other MATTERS shall remain STATUS QUO.

The MINUTE ORDER shall SUFFICE as the post hearing ORDER.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**      Oct 08, 2013   1:30PM Return Hearing  
                                     Return: Outsourced Evaluation  
                                     Courtroom 24 Harter, Mathew  
  
                                     Oct 08, 2013   1:30PM Calendar Call  
                                     Courtroom 24 Harter, Mathew

PRINT DATE:	08/12/2016	Page 4 of 37	Minutes Date:	October 23, 2012
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****October 08, 2013**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**October 08, 2013****1:30 PM****All Pending Motions****HEARD BY:** Harter, Mathew**COURTROOM:** Courtroom 24**COURT CLERK:** Blanca Madrigal**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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- CALENDAR CALL...RETURN HEARING: OUTSOURCED EVALUATION

The Court and counsel reviewed Dr. Paglini's report dated 10/04/2013.

Mr. Jones stated that dad is not relocating and he wishes to proceed with his Motion for change of custody.

Court noted the parties have joint physical custody by stipulation. Court cited NRS 125.490(1), and stated dad has an elevated burden.

Mr. Jones requested an equal division of Dr. Paglini's cost.

Mr. Balabon requested there be no police involvement during the exchanges and dad not pick up the minor child from school during mom's custodial time share.

COURT ORDERED as follows:

1) The parties shall follow Dr. Paglini's recommendations. Mom instructed not to leave the minor

PRINT DATE:	08/12/2016	Page 5 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

child alone with, Ricky Marquez. If the minor child is left alone with him, the Court will modify custody;

2) Matter set for EVIDENTIARY HEARING, as to custody, on 12/09/2013 at 9:00 AM. List of witnesses and documents must be submitted at least 20 days before trial, pursuant to NRCP 16.2. The Court shall admit Dr. Paglini's report as the Court's exhibit 1, pursuant to EDCR 5.13(c), at trial.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Dec 09, 2013 10:00AM Evidentiary Hearing  
Courtroom 24 Harter, Mathew

PRINT DATE:	08/12/2016	Page 6 of 37	Minutes Date:	October 23, 2012
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**Notice:** Journal entries are prepared by the courtroom clerk and are not the official record of the Court.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****December 09, 2013**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:

Sean R

Abid and Lyudmyla A Abid, Petitioners.

**December 09, 2013 10:00 AM****Evidentiary Hearing****HEARD BY:** Harter, Mathew**COURTROOM:** Courtroom 24**COURT CLERK:** Blanca Madrigal**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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**- EVIDENTIARY HEARING**

The Court referred Mr. Jones to his Pretrial Memorandum, page 3, and clarified that the "pure best interest Truax standard" did not apply. Court noted the parties agreed to joint physical custody and cited NRS 125.490(1) and Mosley vs. Figliuzzi case.

Opening statements WAIVED. Testimony and exhibits presented, see worksheets. COURT ORDERED, John Paglini, Psy.D., report dated October 4, 2013, shall be ADMITTED as the Court's Exhibit 1, pursuant to EDCR 5.13.

Discussion regarding Dr. Paglini's testimony regarding Defendant's husband, Ricky Marquez. The Court noted that it is not concerned with guns, as long as they are kept in a safe. The Court is inclined to refer Mr. Marquez for a criminal risk assessment with Shera Bradley, Ph.D (at Plaintiff's cost), and inclined to refer the matter to a Parenting Coordinator. The Court is also inclined to maintain supervised visitation for a period of 3 years. If Defendant wants the supervised visitation lifted, Defendant shall pay the cost of the criminal risk assessment. Further, if Plaintiff can prove that Defendant left the minor child alone with Mr. Marquez, the Court shall modify custody immediately.

PRINT DATE:	08/12/2016	Page 7 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Matter TRAILED. Counsel agreed to confer on the issue.

Matter RECALLED. The parties reached the following agreement:

- a) The parties shall maintain their time share of Monday and Tuesday to Defendant and Wednesday and Thursday to Plaintiff, alternating weekends. The following modification will apply: Plaintiff shall pick up the minor child after school on his custodial days and shall keep him until 5:30 PM. The parties shall work with each other on the exchanges and will communicate in a manner that is positive and reasonable. Further, the parties will be reasonable and flexible with the exchange times;
- b) The minor child will attend American Heritage School and the parties shall equally pay the cost of the tuition;
- c) Beginning next year, the minor child will attend school in Plaintiff's school zone;
- d) Defendant shall reimburse Plaintiff one half of Dr. Paglini's cost (approximately \$12,000 to \$14,000), for his evaluation and testimony time;
- e) The parties holiday schedule shall remain the same; however, the default return time shall be 8:00 AM the next day. The parties may agree to a different time, but if no agreement is reached, the default time shall apply;
- f) The following schedule shall apply during the summer: in even years, beginning 2014, Plaintiff shall have 6 weeks of summer vacation and Defendant shall have 4 weeks of summer vacation with the minor child. In odd years, beginning 2015, Defendant shall have 6 weeks of summer vacation and Plaintiff shall have 4 weeks of summer vacation with the minor child;
- g) The parties shall refer to a Parenting Coordinator if difficulties arise in the future. The parties agreed to use Margaret Pickard;
- h) All other provisions of the prior Custody and Support Orders shall remain in effect;
- i) The temporary Order requiring supervised visitation for Mr. Marquez is lifted;
- j) There will be no police involvement unless there is a violation of the Orders.

Mr. Jones and Mr. Balabon stipulated to EDCR 7.50.

COURT ORDERED as follows:

- 1) The above agreement is binding and enforceable pursuant to EDCR 7.50;

PRINT DATE:	08/12/2016	Page 8 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

2) If problems arise in the future, Plaintiff and/or Defendant shall contact Department N for a Parenting Coordinator Order. The Court shall incorporate Ms. Pickard's name in the Order. If Ms. Pickard finds that a Coordinator with a Psy.D level is necessary, the Court suggested Michelle Gravley;

3) Mr. Jones shall prepare the Order and Mr. Balabon shall review and sign off.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Dec 09, 2013 10:00AM Evidentiary Hearing  
Courtroom 24 Harter, Mathew

PRINT DATE:	08/12/2016	Page 9 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**February 09, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**February 09, 2015 10:00 AM**

**All Pending Motions**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Helen Green

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, not present

Sean Abid, Petitioner, not present

Pro Se

John Jones, Attorney, not present

<b>JOURNAL ENTRIES</b>
------------------------

- LYUDMYLA A. ABID'S MOTION TO HOLD PLAINTIFF IN CONTEMPT OF COURT, TO MODIFY ORDER REGARDING TIMESHARE OR IN THE ALTERNATIVE FOR THE APPOINTMENT OF A PARENTING COORDINATOR, TO COMPEL PRODUCTION OF MINOR CHILD'S PASSPORT AND FOR ATTORNEY FEES...SEAN R. ABID'S OPPOSITION AND COUNTERMOTION TO CHANGE CUSTODY AND FOR ATTORNEY'S FEES AND COSTS

NO APPEARANCES.

Prior to Court, counsel contacted the Court's staff and requested to continue the matter; COURT ORDERED: matter CONTINUED TO March 18 2015 at 10:00 A.M.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

Mar 18, 2015 10:00AM Motion

Lyudmyla A. Abid's Motion to Hold Pltff in Contempt of Court, to Modify Order Regarding Timeshare or in the Alternative for the Appointment of a Parenting Coordinator, to Compel

PRINT DATE:	08/12/2016	Page 10 of 37	Minutes Date:	October 23, 2012
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Production of Minor Child's Passport and for Atty Fees  
Courtroom 07 Marquis, Linda

Mar 18, 2015 10:00AM Opposition & Countermotion  
Sean R. Abid's Opposition & Countermotion to Change Custody and for Atty's Fees and Costs  
Courtroom 07 Marquis, Linda

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****March 18, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**March 18, 2015****10:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Helen Green**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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- LYUDMYLA A. ABID'S MOTION TO HOLD PLAINTIFF IN CONTEMPT OF COURT, TO MODIFY ORDER REGARDING TIMESHAIR OR IN THE ALTERNATIVE FOR THE APPOINTMENT OF A PARENTING COORDINATOR, TO COMPEL PRODUCTION OF MINOR CHILDS' PASSPORT AND FOR ATTORNEY FEES...SEAN R. ABID'S OPPOSITION AND COUNTERMOTION TO CHANG CUSTODY AND FOR ATTORNEY'S FEES AND COSTS

Argument by counsel regarding Defendant's motion and Plaintiff's opposition and countertermotion.

Attorney Jones stated he would provide counsel with a copy of the audio recording.

**COURT ORDERED:**

1. The CUSTODY issue shall be DEFERRED to the Evidentiary Hearing.
2. Temporarily, the VISITATION schedule shall remain the same.
3. Defendant's travel with the child to the Ukraine shall be DEFERRED. Per STIPULATION of counsel, if Defendant wishes to travel to a HAGUE SIGNATORY country that has not been issued a

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travel warning by the U.S. Department of State, Plaintiff shall provide Defendant with the child's passport so she may exercise her six week s vacation and Defendant shall return the child's passport to Plaintiff upon her return from vacation.

4. The entire packet of the child's HOMEWORK, the books and the flashcards, shall remain in the child's backpack.
5. Per STIPULATION of counsel, Dr. Stephanie Holland shall perform the CHILD INTERVIEW. At this time, the parties shall spilt the cost of the CHILD INTERVIEW 50/50. However, if one party should overwhelmingly prevail at the EVIDENTIARY HEARING, the non-prevailing party shall be responsible for reimbursing the other party their cost. Referral Order for Outsourced Evaluation SIGNED AND FILED IN OPEN COURT and a copy was provided to both counsel.
6. Counsel shall submit as a supplement any POINTS AND AUTHORITIES it would like the Court to consider regarding the expert examining the audio tape by Monday, March 23, 2015.
7. Case and Trial Management Order SIGNED AND FILED IN OPEN COURT and a copy was provided to both counsel.
8. Status Check SET for April 2, 2015 at 11:00 A.M. Judges decision re: audio tapes.
9. Evidentiary Hearing SET for August 14, 2015 at 9:00 A.M.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****March 24, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**March 24, 2015****1:15 PM****Minute Order****HEARD BY:** Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Kathleen Boyle**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, not present

Sean Abid, Petitioner, not present

Pro Se

John Jones, Attorney, not present

<b>JOURNAL ENTRIES</b>
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- Upon review, the Court determines that Dr. Holland, or any other expert retained in this matter, may review the January 2015 audio recording and/or a transcript of the audio recording before conducting interviews in this matter. Dr. Holland may also review other relevant pleadings filed in this matter.

The Court will make a determination as to the admissibility of the audio recording and/or transcript of the audio recording, in the event either party moves for its admission.

Accordingly, the STATUS CHECK scheduled for 4/2/2015 at 11:00 a.m. is VACATED.

A copy of this minute order shall be provided to both parties.

**INTERIM CONDITIONS:****FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****June 25, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**June 25, 2015****11:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Kathleen Boyle**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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**- PLAINTIFF'S EMERGENCY MOTION REGARDING SUMMER VISITATION**

The Court noted the parties shared joint legal custody and joint physical custody, there was a visitation order in place, and an Evidentiary Hearing was scheduled for 8/14/15.

The Court said it had received a letter from Dr. Holland, including parts of the interview she had conducted. The Court said it had received Dr. Holland's full report this morning, and had not had an opportunity to review the report,, which had been released to counsel.

The Court met with counsel OFF THE RECORD.

The Court said it had had an opportunity to review Dr. Holland's report, and discuss it with counsel, off the record.

The Court reminded the parties the 8/14/15 Evidentiary Hearing would start at 10:30 a.m.

The Court said opposing counsel had a Motion to Suppress pending and Plaintiff's counsel wanted an opportunity to Oppose that Motion, and, therefore, a date would be set for argument on that issue

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prior to trial.

Argument by Mr. Jones. Mr. Jones asked for Plaintiff to have six (6) weeks with the minor child this summer, and for Defendant to have four (4) weeks this year, in order to protect the child. Mr. Jones said Dr. Holland would be testifying at the trial.

Mr. Balabon said Defendant had completed the Cooperative Parenting Classes at UNLV. Mr. Balabon objected to Dr. Holland's report, and objected to the tape, which he believed had prejudiced the evaluator.

The Court said it was concerned about the child moving into first grade.

Response by Mr. Jones.

The Court read a portion of Dr. Holland's report into the record, which discussed the minor child playing violent video games.

Mr. Jones said only the portion of the recordings containing Sasha were retained, the rest of the tape had been erased. Mr. Jones said the custodial order gave Plaintiff the choice of which school the minor child would attend.

COURT ORDERED, the following:

1. The minor child, Sasha, shall no longer be allowed to play "Call of Duty" or "Five Nights at Freddy's", and he is not allowed to play X-Box Live. In addition, he is not allowed to play any game that is rated above what is appropriate for kindergartners or first graders at either home. The Court is concerned about the child's violent behavior, and he must be monitored to make sure he is not allowed to have access to these violent games going forward.
2. The Motion to Suppress will be argued on July 16, 2015 at 9:30 a.m., and Defendant's Countermotion will be deferred to that date.
3. Dr. Holland and Plaintiff's counsel had requested the Court make a change to the summer schedule; therefore, since Defendant has had three (3) of her six (6) weeks of summer vacation with the minor child, and Dad is entitled to four (4) weeks under the visitation schedule, this year the summer schedule shall be reversed, and Defendant will be allowed to finish one more week with the minor child, and she will then return the child to Plaintiff two (2) weeks early. The child shall be returned to Plaintiff on July 4, 2015 at 9:00 a.m., which will reverse the current visitation order. If at the Evidentiary Hearing a decision is made that does not change custody or visitation, the summer schedule will be switched next year so that Defendant gets six (6) weeks and Plaintiff gets four (4) weeks.

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4. TEMPORARILY until trial, the parties will have Skype or Facetime contact with the minor child on Mondays, Wednesdays, and Fridays.
5. The school issue is not on calendar this date; however, counsel will discuss the matter and exchange calendars, and the matter can be argued at the 7/16/15 hearing.
6. Counsel may retain Dr. Holland's report; however, the report must remain in their possession.
7. Moving forward counsel will not quote directly from Dr. Holland's report or Dr. Paglini's report in their pleadings.
8. If the original recording is available, it shall be produced.

7/16/15 9:30 A.M. ARGUMENT RE: MOTION TO SUPPRESS

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Jul 16, 2015 9:30AM Hearing  
ARGUMENT OF COUNSEL RE: ADMISSIBILITY OF DR. HOLLAND'S REPORT  
Courtroom 07 Marquis, Linda

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****July 16, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**July 16, 2015****9:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Kathleen Boyle**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, not present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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- DEFENDANT'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION REGARDING SUMMER VISITATION SCHEDULE AND COUNTERMOTION TO STRIKE PLAINTIFF'S PLEADINGS, TO SUPPRESS THE ALLEGED CONTENTS OF THE UNLAWFULLY OBTAINED RECORDING, TO STRIKE THE LETTER FROM DR. HOLLAND AND FOR SANCTIONS AND ATTORNEY FEES...HEARING: ARGUMENT OF COUNSEL RE: ADMISSIBILITY OF DR. HOLLAND'S REPORT

Mr. Balabon asked whether Plaintiff intended to introduce the tape into evidence in these proceedings, and if so, was he going to attempt to produce the flash drive which contained an edited version of the tape, or was he going to produce the original.

The Court said its understanding of the facts was that Plaintiff had placed a recording device in the minor child's backpack, and the minor child had gone for his regularly scheduled visitation to Defendant's residence. During the course of the visitation the recording device remained in the child's backpack and recorded for approximately three (3) days, picking up sounds or conversations between numerous people who were in the home, including the child. When the child returned to Plaintiff's residence he took the recording, which was not made at the suggestion, consent, or upon the advice of Mr. Jones, it only came to the attention of Mr. Jones after the recording had taken place, and at some point Plaintiff erased or destroyed portions of the tape or the recording, which did not

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include the child, so if the child was engaged in a conversation, the conversation was kept, if the child was not included in a conversation the conversation was erased or destroyed. The destruction of the recording was not upon the advice, suggestion, or consent of Mr. Jones, who was only made aware of the destruction after it had taken place. The portion of the recording which was provided to Defendant is the entirety of what remains. Mr. Jones agreed these were the facts. Mr. Balabon said he agreed all of the portions remaining were produced.

Mr. Jones said he had not decided whether or not to admit the tape into evidence.

The Court said it was going to treat Defendant's Motion and Mr. Balabon's argument as a Motion in Limine. The Court believed Mr. Balabon was asking the Court not to admit the recording at trial, and to strike any reference to the recording, or any quote from the recording from all of the pleadings ever filed in this case, and strike the portions of the recording from Dr. Holland's Report, and to not allow Dr. Holland to testify at the time of trial because she was tainted by the recording.

Mr. Balabon said he was requesting a ruling from the Court as to the legality of the tape, and as to whether or not the Court was applying the Implied Consent Doctrine to the Statute, and a ruling as to whether or not Plaintiff had satisfied his burden for admissibility, if the Court did adopt the Doctrine.

Argument by Mr. Balabon.

Response by Mr. Jones.

Argument by Mr. Balabon.

As to the facts the Court is FINDING this date in considering the Motion in Limine, at a certain point in time Plaintiff contacted Defendant regarding the minor child's exposure to violent video games, after which time Plaintiff concedes he placed a recording device in the minor child's backpack resulting in conversations being recorded while the minor child was with the Defendant. Defendant believes there were three (3) consecutive days of recording. Plaintiff maintains he deleted portions of the audio recording. Plaintiff field a Motion for a Change of Custody and relied in part on those recorded conversations. The Court reiterated Mr. Jones was in no way a participant in the recording, did not advise Plaintiff to make those recordings, and did not know about the recordings until after the fact, and did not know portions of the recordings had been deleted until after the fact. The Court previously ordered a child interview through Dr. Holland, and Dr. Holland reviewed numerous documents in preparation for her interview, including a transcript of a portion of the audio recordings, and portions of the actual audio recordings. Plaintiff turned over a digital recording of all of the remaining portions of the recording. Defendant moved today to strike portions of the pleadings that discuss or incorporate the recordings, strike Dr. Holland's report, strike Dr. Holland from the witness list, not allow her to testify, and deny admission of the audio recording at any time during the Evidentiary Hearing in this matter.

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The Court FINDS this is a recording by a recording device as defined in NRS 200.650, and as such it is a one party consent, which does not fall under the wire communication definition. While Plaintiff has not yet sought to introduce the audio recording or any portion of the audio recording into evidence, the Court is inclined to adopt the Vicarious Doctrine; therefore, Mr. Jones needs to prove much more than he is able to via a Motion in Limine. Dr. Holland's report does not deal with the recording, the vast majority, and her biggest area of concern, and the Court's biggest area of concern in this case continues to be, and originated with, the child's exposure and preoccupation with violent video games. The Court will strike portions of Dr. Holland's report which deal with the audio recording; however, the Court FURTHER FINDS Dr. Holland has not been tainted so badly from exposure to that recording that she is unable to testify at the trial, since the vast majority of her report deals with issues wholly separate to the recording, and should the parties stipulate to the introduction of her report in lieu of her live testimony, the Court will strike the portions of the report dealing with the audio recording; however, should the parties not stipulate to the introduction of her report, the Court will allow Dr. Holland to testify, and the Court will allow the Defendant to ask Dr. Holland questions as to her reliance upon the audio recording as part of her ultimate expert opinion, if the Defendant wants to. Plaintiff will not be allowed to question Dr. Holland regarding the audio recording, unless Defendant opens the door.

COURT ORDERED, the following:

1. With regard to the school issue, the matter will be dealt with at trial, once the custody issue has been resolved.
2. The defense may retain their own expert, who does not need to rely on the audio recording. However, if the defense does not have the money to employ an expert with Dr. Holland's credentials, a forty-five (45) minute routine interview can be conducted at the Family Mediation Center, PROVIDED the Family Mediation Center has the ability to record the interview, so it can be reviewed. The Court FINDS NRS 50.285 applies and experts can rely upon inadmissible information to make their determination.

The Court further explained its ruling in this matter with regard to the admissibility of the audio recording at trial.

8/14/15 10:30 A.M. RETURN: FMC CHILD INTERVIEW

CLERK'S NOTE: After the hearing, the FMC referral was placed in the attorney bins of Mr. Jones and Mr. Balabon. KB 7/17/15

#### **INTERIM CONDITIONS:**

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**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****August 10, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**August 10, 2015      8:45 AM      Motion to Continue**

**HEARD BY:** Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Victoria Pott**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Pro Se

Sean Abid, Petitioner, not present

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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**- DEFENDANT'S MOTION TO CONTINUE TRIAL**

Court called the case and upon Court's inquiry, Mr. Radford stated he is substituting in as counsel for Defendant.

Matter recessed for Court to conduct a conference with counsel off the record

Matter recalled with all present as before.

Court noted, it spoke with counsel off the record regarding granting Defendant's Motion to Continue the Evidentiary Hearing. Court further noted, it is inclined to grant the request based on the appearance of new counsel.

Argument by counsel regarding Defendant's request to retain Dr. Mark Chambers as an expert to re-interview the child, the audio tapes that have been at issue in these proceedings, and counseling for the child.

Counsel STIPULATED to allow the child's teacher to testify at Trial.

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Counsel further STIPULATED to allow the child to participate in Judo provided it doesn't interfere with the child's baseball activities. Further, the child won't participate in activities past 8:30 PM on any day prior to a school day.

Counsel further STIPULATED that the parties will retain either Nick Ponzio or Jamil Ali to provide counseling for the minor child, and that the counselor will receive a copy of Dr. Holland's Report, Dr. Paglini's Report, and copies of relevant pleadings.

COURT ORDERED, Defendant's Motion to Continue the Evidentiary is GRANTED. The Evidentiary Hearing currently set for 8/14/15 at 10:00 AM shall be VACATED, with a two-day Evidentiary Hearing SET for 10/5/15 at 9:00 AM (full day) and 10/12/15 at 9:00 AM (full day). Court will prepare the Case Management Order to be placed in the attorney bins of respective counsel.

Defendant's request to retain Dr. Chambers as an expert and re-interview the child is GRANTED. Dr. Chambers shall have discretion on whether to videotape the interview. Plaintiff shall be given the opportunity to retain his own expert to re-interview the child, who shall also have discretion on whether to videotape the interview. If Dr. Holland and Dr. Chambers speak and believe it's appropriate, Dr. Holland can be present at the child interview.

The Court clarifies its prior Order in that, not only shall the minor child not be allowed to play any video game not rated appropriate for his age, he shall further not be allowed to watch any other person play "mature" rated games, nor shall he have any exposure whatsoever by any and all means to "mature" rated games.

10/5/15 9:00 AM Evidentiary Hearing (full day)

10/12/15 9:00 AM Evidentiary Hearing (full day)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**September 09, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**September 09,  
2015**

**10:00 AM**

**Motion**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Helen Green

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, not present

Pro Se

John Jones, Attorney, not present

<b>JOURNAL ENTRIES</b>
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- DEFENDANT'S MOTION TO EXTEND DEADLINE TO PRODUCE DR. CHAMBER'S CHILD INTERVIEW REPORT, OR ALTERNATELY, CONTINUE THE EVIDENTIARY HEARING

John Jones, Esq., #6699, appeared telephonically on behalf of Plaintiff.

Argument by counsel regarding Defendant's motion.

**COURT ORDERED:**

1. Defendant's Motion shall be GRANTED.

2. Counsel shall submit a STIPULATION AND ORDER vacating the 10/05/2015 and 10/12/2015 Evidentiary Hearing dates.

**INTERIM CONDITIONS:**

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**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**November 17, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**November 17,  
2015**

**1:30 PM**

**Evidentiary Hearing**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:**

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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**- EVIDENTIARY HEARING**

Counsel waived opening statements.

Witnesses and Exhibits per worksheets.

COURT ORDERED; matter CONTINUED. Future dates STAND.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**November 18, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**November 18,  
2015**

**1:30 PM**

**Evidentiary Hearing**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Helen Green

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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**- EVIDENTIARY HEARING**

Hearings continued. Witnesses and Exhibits per worksheets.

**COURT STATED FINDINGS.**

Court noted there was an incident in the hallway between Plaintiff and Defendant during the recess.

**COURT ORDERED:**

The recordings of the child shall NOT be permitted in this portion of testimony, however, the Court is inclined to allow it during later testimony. The Court is inclined to consider it a recorded recollection and counsel shall ask the appropriate questions and the recording shall be allowed. Attorney Jones shall submit a copy of the recording to counsel's office.

Matter CONTINUED. Future date STANDS.

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**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**November 19, 2015**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**November 19,  
2015**

**1:30 PM**

**Evidentiary Hearing**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Jefferyann Rouse

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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**- EVIDENTIARY HEARING**

Upon the matter being called the court noted the continuance and the redirect .

Petitioner/Dad sworn and testified.

Examination by Attorney Jones.

Matter recessed. Upon the matter being recalled The court noted, on 11-18-2015 it was stated supplemental briefs could be submitted as to the Evidentiary issues presented, relative to the tapes and it admission.

The court further noted it will consider the briefs in its decision.

Mr. Jones advised the court as to issues that occurred outside Courtroom 7, on 11-18-2015.

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THE COURT ORDERED,

1. SUPPLEMENTAL BRIEFS shall be due by 12-3-2015 at noon.
2. Non-Jury Trial SET for 1-11-2016 AT 9:00 am. (half-day).
3. Non-Jury Trial SET for 1-12-2016 at 9:00 am.
4. A Written DECISION shall be rendered by the court.
5. The Court Recommended Counsel file Motion's as to the incident that occurred on 11-18-2015 outside Courtroom 7.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Nov 19, 2015 1:30PM Evidentiary Hearing  
Courtroom 07 Marquis, Linda

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**January 11, 2016**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**January 11, 2016**

**9:00 AM**

**Non-Jury Trial**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Jefferyann Rouse

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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- NON-JURY TRIAL...MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF SURREPTITIOUSLY OBTAINED OUTSIDE COURTROOM ON November 18, 2015, SANCTIONS AND ATTORNEY'S FEES...OPPOSITION OF PLAINTIFF, SEAN R. ABID, TO DEFENDANT'S MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF SURREPTITIOUSLY OBTAINED OUTSIDE COURTROOM ON November 18, 2015, SANCTIONS AND ATTORNEY 'S FEES AND COUNTERMOTION FOR ATTORNEY'S FEES AND COSTS

Upon the matter being called the court noted the Petitioner/Mom's Motion in Limine and Petitioner/Dad's Opposition and Countermotion.

Opening remarks by Attorney Smith as to Mom's Motion in Limine and as to issues that occurred outside Courtroom 7, on November 18, 2015.

Rebuttal statements by Attorney Jones as to Dad's Opposition and the incident which occurred outside Courtroom 7, on November 18, 2015.

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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

The court noted concerns as to incident which occurred outside the courtroom on November 18, 2015.

Witnesses sworn and testified (see attached worksheet).

Testimony and Cross Examination continued.

Under Rule 41, Attorney Smith requested a Dismissal as to Hearing issues related to Primary Custody. Counsel stated there were no adequate grounds for such issue to be addressed.

Mr. Jones stated concerns as to Rule 52(c) requiring the non-moving party to have their case fully read as Mr. Jones indicated he hadn't rested his case.

Discussion as to Dr. Holland's Report by Counsel and the continuance of the trial.

THE COURT ORDERED,

1. By Stipulation Counsel AGREED their CASE IN CHIEF shall be presented on (day 3) of the Non-Jury Trial SET for 1-26-2016 at 9:00 am.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Jan 11, 2016 9:00AM Non-Jury Trial  
Courtroom 07 Marquis, Linda

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**January 11, 2016**

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D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

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**January 11, 2016**

**9:00 AM**

**Motion in Limine**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** Jefferyann Rouse

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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- MOTION IN LIMINE TO EXCLUDE RECORDING PLAINTIFF SURREPTIOUSLY OBTAINED OUTSIDE COURTROOM ON November 18, 2015, SANCTIONS AND ATTORNEY'S FEE.

Minutes for Motion in Limine minutes in the Non- Jury Trial

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**January 25, 2016**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**January 25, 2016**

**9:00 AM**

**Non-Jury Trial**

**HEARD BY:** Marquis, Linda

**COURTROOM:** Courtroom 07

**COURT CLERK:** April Graham; Victoria Pott

**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, present

Sean Abid, Petitioner, present

Pro Se

John Jones, Attorney, present

<b>JOURNAL ENTRIES</b>
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- Argument and discussion regarding Dr. Holland's testimony and report.

Matter trailed to allow the Court to obtain its copy of Dr. Holland's letter dated 6/5/15 and report dated 6/22/15.

Matter recalled with all present as before. Mr. Smith moved to exclude Dr. Holland's report. COURT ORDERED, Mr. Smith's oral motion to exclude Dr. Holland's report is DENIED.

Testimony and exhibits continued (see worksheet).

Mr. Smith moved the Court for a directed denial of Plaintiff's motion to change custody. COURT FURTHER ORDERED, Mr. Smith's request is DENIED.

Further testimony and exhibits presented (see worksheet).

Closing arguments by counsel.

COURT FURTHER ORDERED, matter taken UNDER ADVISEMENT. Court will issue a written

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decision.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES****July 14, 2016**

D-10-424830-Z

In the Matter of the Joint Petition for Divorce of:  
Sean R Abid and Lyudmyla A Abid, Petitioners.

**July 14, 2016****2:00 PM****Minute Order****HEARD BY:** Marquis, Linda**COURTROOM:** Courtroom 07**COURT CLERK:** Michelle Prescott**PARTIES:**

Aleksandr Abid, Subject Minor, not present

Lyudmyla Abid, Petitioner, not present

Sean Abid, Petitioner, not present

Pro Se

John Jones, Attorney, not present

<b>JOURNAL ENTRIES</b>
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**- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES****RE: D-10-424830-Z**

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

Dad's Motion to Reapportion Dr. Holland's fees is GRANTED. The Court previously indicated that the parties could request reapportionment of Dr. Holland's fees, if one party overwhelmingly prevailed at the Evidentiary Hearing.

Mom's Countermotion for Stay is DENIED. NRAP 8 governs stays pending appeal and requires, generally, a stay be first sought in the District Court. Stays in civil cases involving child custody are governed by NRAP 8 (d):

In deciding whether to issue a stay in matters involving child custody, the Supreme Court or Court of Appeals will consider the following factors: (1) whether the child(ren) will suffer hardship or harm if the stay is either granted or denied; (2) whether the nonmoving party will suffer hardship or harm if the stay is granted; (3) whether movant is likely to prevail on the merits in the appeal; and (4) whether a determination of other existing equitable considerations, if any, is warranted.

Here, the child would suffer hardship and/or harm if the stay is granted. As the Court previously

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found, Mom's behavior is detrimental to the minor child. Further, Dad's relationship with the minor child would suffer harm, if the stay is granted. Mom is unlikely to prevail on the merits of this appeal, as discussed below. This custody order has been in place for months, yet another change in custody is not equitable.

The trial court has wide discretion concerning matters of child custody. A reviewing court will not disturb the trial court's finding absent a clear abuse of discretion. See *Sims v. Sims*, 109 Nev. 1146 (1993). Mom does not allege the District Court applied the wrong law or standard. Instead, Mom argues that the trial court allowed an expert witness to review evidence that the court ultimately found inadmissible. The expert's testimony was not based solely upon this evidence. The expert's testimony was based upon many other things, including interviews with the child. Mom's Countermotion for Sanctions and Attorney's Fees is DENIED.

The Court reminds the parties that there is no Order preventing both parents from attending medical and dental appointments for the minor child. The Court encourages the parties to co-parent regarding the child's medical and dental needs. There is no Order from this Court that would prevent a third party designee from picking up and/or dropping off the minor child.

Counsel for Plaintiff SHALL prepare the Order.

Notice of this minute order was provided to the Parties via telephone.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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Courts'

CASE NO. D 424830

[illegible]



Abid v. Abid (D-10-424830-Z)

DEPARTMENT: B

**DEFENDANT'S EXHIBITS**

		<b><u>OFFER</u></b>	<b><u>ADMIT</u></b>
<input checked="" type="checkbox"/>	Plaintiff's Financial Disclosure Form November 9, 2015		
<input checked="" type="checkbox"/> B	Sasha's school report card 2014-2015	11/17/15	11/12/15 ✓
<input checked="" type="checkbox"/> C	Sasha's school report card dated 09-18-15	11/17/15	11/17/15 ✓
<input checked="" type="checkbox"/>	Examples of Sasha's schoolwork,		
<input checked="" type="checkbox"/> E	Text messages between Angie and Lyuda, date range: February to October 2014	11/18/15	11/18/15 ✓
<input checked="" type="checkbox"/> F	Text messages between Sean and Lyuda, date range: December 2013 to March 2, 2015	↓	↓
<input checked="" type="checkbox"/> G	Text messages between Sean and Lyuda, date range: January 28, 2014 to October 20, 2014	↓	↓
<input checked="" type="checkbox"/> H	Text messages between Sean and Lyuda, date range: October 27, 2014 to November 18, 2014	↓	↓
<input checked="" type="checkbox"/> I	Text messages between Sean and Lyuda, date range: November 21, 2014 to March 27, 2015	↓	↓
<input checked="" type="checkbox"/> J	Photographs of the child	1/25/16	1/25/16
<input checked="" type="checkbox"/>	Video clips of Sasha at school,		
<input checked="" type="checkbox"/>	Video clips of Sasha at school award		
<input checked="" type="checkbox"/>	Video clips of Sasha playing with a scooter		
<input checked="" type="checkbox"/>	Video clips of Sasha snorkeling		
<input checked="" type="checkbox"/>	Video clips of Sasha surfing		
<input checked="" type="checkbox"/>	Video clips of Sasha playing by the beach		
<input checked="" type="checkbox"/> Q	Email exchange between John Jones, Esq. and Michael Balabon, date range: 07-10-14 through 08-11-14	1/25/16	OBJECTED NOT ADMITTED
<input checked="" type="checkbox"/>	Email exchange between John Jones, Esq. and Michael Balabon, date range: 4-16-15 through 6-5-2015		
<input checked="" type="checkbox"/>	Attorney Fees summary from Radford J. Smith, Chartered, Attorneys at law		
<input checked="" type="checkbox"/>	Attorney Fees summary for Mr. Michael Balabon		
<input checked="" type="checkbox"/>	Dr. Chambers Fees		
<input checked="" type="checkbox"/>	Dr. Chambers' Curriculum Vitae		
<input checked="" type="checkbox"/>	Dr. Chambers' Report dated September 18, 2015		

**CASE NAME:** Abid

CASE NO: D424830

## EXHIBITS

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

**RADFORD J. SMITH, ESQ.**  
**2470 ST. ROSE PKWY., SUITE 206**  
**HENDERSON, NV 89074**

**DATE: August 12, 2016**  
**CASE: D-10-424830-Z**

**RE CASE:** In the Matter of the Joint Petition for Divorce of:  
SEAN R. ABID and LYUDMYLA A. ABID

**NOTICE OF APPEAL FILED:** August 8, 2016

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

**PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:**

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

*Please refer to Rule 3 for an explanation of any possible deficiencies.*

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*\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER RE: THE COURT'S MINUTE ORDER OF JULY 14, 2016; NOTICE OF ENTRY OF ORDER RE: THE COURT'S MINUTE ORDER OF JULY 14, 2016; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

In the Matter of the Joint Petition for Divorce of:  
SEAN R. ABID and LYUDMYLA A. ABID,

Petitioner(s),

Case No: D-10-424830-Z

Dept No: B

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 12 day of August 2016.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk